

RBR  
KPN  
743<sup>4</sup>  
A2  
W67  
Ind. Vol. 6

# NORTH CAROLINA REGISTER

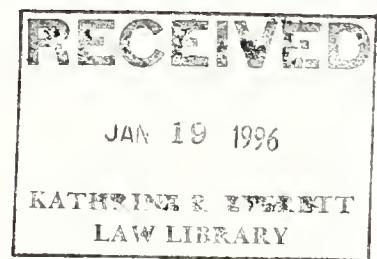
VOLUME 10 • ISSUE 20 • Pages 2587 - 2682  
January 16, 1996

## IN THIS ISSUE

Executive Orders  
Environment, Health, and Natural Resources  
Human Resources  
Revenue  
List of Rules Codified  
Rules Review Commission  
Contested Case Decisions

## PUBLISHED BY

*The Office of Administrative Hearings*  
Rules Division  
PO Drawer 27447  
Raleigh, NC 27611-7447  
Telephone (919) 733-2678  
Fax (919) 733-3462





# **NORTH CAROLINA REGISTER**



**Volume 10, Issue 20  
Pages 2587 - 2682**

**January 16, 1996**

This issue contains documents officially filed through December 20, 1995.

Office of Administrative Hearings  
Rules Division  
424 North Blount Street (27601)  
PO Drawer 27447  
Raleigh, NC 27611-7447  
(919) 733-2678  
FAX (919) 733-3462

Julian Mann III, Director  
James R. Scarella Sr., Deputy Director  
Molly Masich, Director of APA Services  
Ruby Creech, Publications Coordinator  
Teresa Kilpatrick, Editorial Assistant  
Jean Shirley, Editorial Assistant

## **IN THIS ISSUE**

### **I. EXECUTIVE ORDERS**

Executive Orders 90-92 ..... 2587 - 2590

### **II. RULE-MAKING PROCEEDINGS**

Environment, Health, and Natural Resources

Environmental Management ..... 2591 - 2592

### **III. TEMPORARY RULES**

Human Resources

Child Day Care Commission ..... 2593 - 2597

Social Services Commission - Individual and  
and Family Support ..... 2597 - 2599

Revenue

Departmental Rules ..... 2599 - 2601

### **IV. LIST OF RULES CODIFIED** ..... 2602 - 2617

### **V. RRC OBJECTIONS** ..... 2618 - 2627

### **VI. CONTESTED CASE DECISIONS**

Index to ALJ Decisions ..... 2628 - 2645

Text of Selected Decisions

95 DOJ 0726 ..... 2646 - 2650

95 EHR 0311 ..... 2651 - 2655

95 EHR 0437 ..... 2651 - 2655

### **VII. CUMULATIVE INDEX** ..... 2657 - 2682



**NORTH CAROLINA REGISTER**  
**Publication Schedule**  
*(December 1995 - September 1996)*

FILING DEADLINES		NOTICE OF RULE-MAKING PROCEEDINGS		NOTICE OF TEXT (either column A or column B)			
volume and issue number	issue date	last day for filing	earliest register issue for publication of text	A.		B. substantial economic impact	
				end of comment period	earliest date for public hearing	end of required comment period	first legislative day of the next regular session
10:17	12/01/95	11/07/95	01/30/96	02/01/96			
10:18	12/15/95	11/22/95	02/13/96	02/15/96			
10:19	01/02/96	12/07/95	03/04/96	03/15/96			
10:20	01/16/96	12/20/95	03/18/96	04/01/96			
10:21	02/01/96	01/10/96	04/01/96	04/15/96	02/16/96	03/04/96	05/13/96
10:22	02/15/96	01/25/96	04/15/96	05/01/96	03/01/96	03/18/96	05/13/96
10:23	03/01/96	02/09/96	04/30/96	05/01/96	03/18/96	04/01/96	04/22/96
10:24	03/15/96	02/23/96	05/14/96	05/15/96	04/01/96	04/15/96	04/22/96
11:01	04/01/96	03/11/96	05/31/96	06/03/96	04/16/96	05/01/96	05/20/96
11:02	04/15/96	03/22/96	06/14/96	07/01/96	04/30/96	05/15/96	05/20/96
11:03	05/01/96	04/10/96	07/01/96	07/15/96	05/16/96	05/31/96	06/20/96
11:04	05/15/96	04/24/96	07/15/96	08/01/96	05/30/96	06/14/96	06/20/96
11:05	06/03/96	05/10/96	08/02/96	08/15/96	06/18/96	07/03/96	07/22/96
11:06	06/14/96	05/23/96	08/13/96	08/15/96	07/01/96	07/15/96	07/22/96
11:07	07/01/96	06/10/96	08/03/96	09/03/96	07/16/96	07/31/96	08/20/96
11:08	07/15/96	06/21/96	09/13/96	09/16/96	07/30/96	08/14/96	08/20/96
11:09	08/01/96	07/11/96	09/30/96	10/01/96	08/16/96	09/03/96	09/20/96
11:10	08/15/96	07/25/96	10/14/96	10/15/96	08/30/96	09/16/96	09/20/96
11:11	09/03/96	08/12/96	11/04/96	11/15/96	09/18/96	10/03/96	10/21/96
11:12	09/16/96	08/23/96	11/15/96	12/02/96	10/01/96	10/16/96	10/21/96
						01/30/97	11/15/96

## EXPLANATION OF THE PUBLICATION SCHEDULE

This Publication Schedule is prepared by the Office of Administrative Hearings as a public service and the computation of time periods are not to be deemed binding or controlling. Time is computed according to 26 NCAC 2B .0103 and the Rules of Civil Procedure, Rule 6.

### GENERAL

### FILING DEADLINES

### NOTICE OF RULE-MAKING PROCEEDINGS

### NOTICE OF TEXT

The North Carolina Register shall be published twice a month and contains the following information submitted for publication by a state agency:

- (1) temporary rules;
- (2) notices of rule-making proceedings;
- (3) text of proposed rules;
- (4) text of permanent rules approved by the Rules Review Commission;
- (5) notices of receipt of a petition for municipal incorporation, as required by G.S. 120-165;
- (6) Executive Orders of the Governor; final decision letters from the U.S. Attorney General concerning changes in laws affecting voting in a jurisdiction subject of Section 5 of the Voting Rights Act of 1965, as required by G.S. 120-30.9H;
- (7) orders of the Tax Review Board issued under G.S. 105-241.2; and
- (8) other information the Codifier of Rules determines to be helpful to the public.
- (9)

**ISSUE DATE:** The Register is published on the first and fifteenth of each month if the first or fifteenth of the month is not a Saturday, Sunday, or State holiday for employees mandated by the State Personnel Commission. If the first or fifteenth of any month is a Saturday, Sunday, or a holiday for State employees, the North Carolina Register issue for that day will be published on the day of that month closest to (either before or after) the first or fifteenth respectively that is not a Saturday, Sunday, or holiday for State employees.

**LAST DAY FOR FILING:** The last day for filing for any issue is 15 days before the issue date excluding Saturdays, Sundays, and holidays for State employees.

**END OF COMMENT PERIOD TO A NOTICE OF RULE-MAKING PROCEEDINGS:** This date is 60 days from the issue date. An agency shall accept comments on the notice of rule-making proceeding until the text of the proposed rules is published, and the text of the proposed rule shall not be published until at least 60 days after the notice of rule-making proceedings was published.

**EARLIEST REGISTER ISSUE FOR PUBLICATION OF TEXT:** The date of the next issue following the end of the comment period.

**EARLIEST DATE FOR PUBLIC HEARING:** The hearing date shall be at least 15 days after the date a notice of the hearing is published.

### END OF REQUIRED COMMENT PERIOD (1) RULE WITH NON-SUBSTANTIAL ECONOMIC IMPACT

An agency shall accept comments on the text of a proposed rule for at least 30 days after the text is published or until the date of any public hearings held on the proposed rule, whichever is longer.

### (2) RULE WITH SUBSTANTIAL ECONOMIC IMPACT

An agency shall accept comments on the text of a proposed rule published in the Register and that has a substantial economic impact requiring a fiscal note under G.S. 150B-21.4(b1) for at least 60 days after publication or until the date of any public hearing held on the rule, whichever is longer.

**DEADLINE TO SUBMIT TO THE RULES REVIEW COMMISSION:** The Commission shall review a rule submitted to it on or before the twentieth of a month by the last day of the next month.

**FIRST LEGISLATIVE DAY OF THE NEXT REGULAR SESSION OF THE GENERAL ASSEMBLY:** This date is the first legislative day of the next regular session of the General Assembly following approval of the rule by the Rules Review Commission. See G.S. 150B-21.3, Effective date of rules.

**COMPUTING TIME:** In computing time in the schedule, the day of publication of the North Carolina Register is not included. The last day of the period so computed is included, unless it is a Saturday, Sunday, or State holiday, in which event the period runs until the preceding day which is not a Saturday, Sunday, or State holiday.

**EXECUTIVE ORDER NO. 90  
ESTABLISHMENT OF WORKFORCE  
DEVELOPMENT BOARDS**

**WHEREAS**, North Carolina needs a competitive workforce to compete in the global economy; and

**WHEREAS**, North Carolina must ensure significant improvements in the quality and quantity of its educational and training programs to attain and maintain a world-class workforce; and

**WHEREAS**, the private sector, along with the workforce development agencies must lead North Carolina's efforts to develop an integrated workforce development system; and

**WHEREAS**, private sector led Workforce Development Boards can serve as vital local bodies which can provide comprehensive and integrated policy guidance for all publicly funded workforce development services; and

**WHEREAS**, Workforce Development Boards can also play an invaluable role in mobilizing and encouraging investments by North Carolina employers and citizens in skill upgrading and lifelong learning so that our state's workforce remains an internationally competitive asset; and

**WHEREAS**, the United States Department of Labor has granted the State of North Carolina funding to implement a one-stop career center system; and

**WHEREAS**, the local governance body for the One Stop Career Centers in North Carolina will be private sector led Workforce Development Boards in collaboration with State and local education, employment, and training agency partners;

**NOW THEREFORE**, by the authority vested in me as Governor by the Constitution and laws of North Carolina and the United States, it is **ORDERED**:

**Section 1. ESTABLISHMENT.**

A. The Private Industry Councils (PICs) operating in the sub-state service delivery areas under provisions of the Federal Job Training Partnership Act are hereby designated and established as North Carolina's local or regional Workforce Development Boards for continuing purposes of the Federal Job Training Partnership Act and as the governance boards for the One Stop Career Centers to be established under North Carolina's One Stop Career Center system. Additionally, to achieve coordination with statewide economic development planning and policy, local or regional Workforce Development Boards will be linked with the appropriate region(s) of the North Carolina Partnership for Economic Development.

B. The local or regional Workforce Development

Boards designated and established under the powers of this Executive Order are considered an interim step until the issues of sub-state service areas and local or regional planning and governance boards are addressed by pending Federal workforce development "block grant" legislation.

**Section 2. MEMBERSHIP.**

A. Membership of Workforce Development Boards shall be as specified under Section 102 of the Federal Job Training Partnership Act.

B. Procedures for nominations, appointments, and terms of office shall be under the provisions of Section 102 of the Federal Job Training Partnership Act, and continue the requirement to have a private sector chair and at least 51% of its membership from private sector employers. Local elected officials shall continue in their role of appointing authority as specified in the Federal Job Training Partnership Act.

C. Membership of currently existing Private Industry Councils will be certified as being in accordance with the provisions of the Federal Job Training Partnership Act by the Commission on Workforce Preparedness prior to designation of existing Private Industry Councils as Workforce Development Boards.

D. Chairperson, officers, and organizations shall be as specified under provisions of the Federal Job Training Partnership Act and under the locally developed workplans to address the functions and purposes of the organization.

**Section 3. DUTIES AND RESPONSIBILITIES.**

A. Duties and responsibilities of the local or regional Workforce Development Boards are as follows:

1. Plan and oversee the delivery of all workforce development programs specified as responsibilities of the Private Industry Councils under the Federal Job Training Partnership Act and of North Carolina's One Stop Career Center system;

2. Advise local elected officials, employers, local education agencies, and community colleges, State and local employment and training agencies and citizens about policy, programs and other information relative to their service area workforce;

3. Serve as a point of contact for business, industry, and the public sector to communicate their workforce needs;

4. Develop a local plan in coordination with appropriate community partners that addresses the workforce development needs of their service area, which is responsive to the goals, objectives, and performance standards established by the Governor;

5. Collaborate with the local JobReady Council(s), local education agencies and local community colleges in the development of school-to-work plans;

6. Review and approve local Job Ready plans for submission to the State JobReady Partnership Council;

7. Develop industry or sector cluster analysis in order to set training priorities in the service area;

8. Charter career centers, monitor activities, and evaluate the performance of the career centers, programs, and activities; and

9. Develop linkages with regional and local economic development efforts and activities in the service area and promote cooperation and coordination among public organizations, community organizations, education agencies and private businesses.

B. Workforce Development Boards shall not operate or manage One-Stop Career Centers but shall serve in the role of governance providing planning, monitoring, evaluation, and oversight.

**Section 4. WORKFORCE DEVELOPMENT PROGRAMS.**

A. In addition to the duties, responsibilities, and authority identified in the Federal Job Training Partnership Act, under authority of this Executive Order, local or regional Workforce Development Boards, with private sector and key agency partners represented, will have planning and oversight responsibilities for the following programs and activities when and where operated in one stop career centers: programs of the Job Training Partnership Act, the Employment Service, the Work First (JOBS) welfare training and placement programs, the Food Stamp Employment and Training Program, the Older Americans Act Job Training and Employment Program, Vocational Rehabilitation programs, and the JobReady school to work programs.

B. The authority granted under this section does not give local or regional Workforce Development Boards any direct authority or control over workforce development funds and programs in the service area other than programs specifically identified as under the provisions of section 4-A of the Executive Order.

**Section 5. COOPERATION OF STATE AGENCIES.**

A. All state agencies and their local service delivery entities shall cooperate with the Commission on Workforce Preparedness and the local or regional Workforce Development Boards as this local governance process is implemented. Also, the Commission on Workforce Preparedness shall cooperate with all State and local employment and training agencies in implementation of this local governance structure.

B. Community colleges and Workforce Development Boards shall coordinate in planning, design, and delivery of vocational, technical, and basic skill education and training for clients referred from One Stop Career Centers.

**Section 6. ADMINISTRATION AND EXPENSES.**

The operating budget for professional and administrative support to local or regional Workforce Development Boards shall derive from the current Federal Job Training Partnership Act, as is now the method for supporting the Private Industry Councils, and from additional funding sources identified from the federal and state participating programs and agencies in the area one stop career centers. Therefore, it is anticipated that after transitioning into Workforce Development Boards, multiple funding sources derived from the federal and state workforce development programs will be available for professional and administrative support of the Workforce Development Boards.

This Executive Order shall become effective immediately, and shall remain effective until superseded by subsequent federal or state legislation or a new Executive Order.

Done in the Capital City of Raleigh, North Carolina this 5th day of December, 1995.

**EXECUTIVE ORDER NO. 91  
PERSIAN GULF WAR MEMORIAL COMMISSION**

WHEREAS, the purposes of the Commission established by Executive Order No. 33 have been fulfilled; and

WHEREAS, a new Commission is needed to establish memorials to the fighting men and women of North Carolina who served admirably in the Persian Gulf War;

NOW, THEREFORE, by the power vested in me as Governor by the Constitution and laws of North Carolina, IT IS ORDERED:

**Section 1. Establishment and Membership.**

There is hereby established the Persian Gulf War Memorial Commission whose membership shall consist of:

- A. Two (2) persons appointed by the Governor upon the recommendation of the Speaker of the House of Representatives;
- B. Two (2) persons appointed by the Governor upon the recommendation of the President Pro Tempore of the Senate;
- C. Five (5) persons appointed by the Governor including one representative of the N.C. Desert Storm Memorial Foundation; and
- D. One (1) representative of the Department of Cultural Resources, one (1) representative of the Division of Veterans Affairs of the Department of Administration, and one (1) representative of the State Capitol Planning Commission appointed by the Governor as non-voting ex-officio mem-

bers.

The members of the Commission shall serve for the life of the Commission. From among the membership, the Governor shall appoint the Chair. The Commission shall meet at the call of the Chair. Procedures involving the existence of a quorum and the filling of vacant seats shall be governed by N.C.G.S. 143B-133. No person shall be appointed to the Commission if he or she currently holds a state-level elected office or is a member of the Governor's cabinet.

**Section 2. Purpose.**

The Commission shall create a design for the construction of a Persian Gulf War Memorial, and make recommendations on site selection and funding sources. The Commission shall study the concept of a state veterans park located outside the Raleigh area and recommend plans for design, location, and funding. The Commission shall issue a final report by March 15, 1996.

**Section 3. Administration.**

Administrative support for the Commission shall be provided by the Department of Administration. There shall be no per diem paid to members of the Commission; however, necessary travel and subsistence allowance may be paid in accordance with state law and availability of funds.

**Section 4. Rescission.**

Executive Order No. 33 (Persian Gulf War Memorial Commission) dated November 10, 1993, and Executive Order No. 82 dated July 27, 1995 are hereby rescinded. All of the Commission's files, records, etc., shall be transferred to the successor Commission created herein.

This Order shall be effective immediately.

Done in Raleigh, North Carolina, this the 13th day of December, 1995.

**EXECUTIVE ORDER NO. 92  
COUNCIL FOR YOUNG ADULT DRIVERS**

**WHEREAS**, a significant number of traffic related injuries and fatalities involve young adults who have recently become licensed drivers; and

**WHEREAS**, injury producing crashes by young adult drivers result in total comprehensive costs to the State of North Carolina of over 400 million dollars annually; and

**WHEREAS**, drivers under the age of 21 are over represented in all categories of crashes, injuries, and fatalities; and

**WHEREAS**, in North Carolina, 16-year-old drivers are nearly 5 times more likely to be involved in a vehicle crash than adults age 25 and older, and 17-year-old

drivers are more than 3 times more likely to crash; and

**WHEREAS**, traffic crashes are the leading cause of permanent injury and fatalities to young adults in the State of North Carolina, and

**WHEREAS**, the human suffering and loss endured by those involved in crashes and vehicular deaths involving the newly licensed driver can be lessened by programs designed to target those young adults, and

**WHEREAS**, if North Carolina is to succeed in reaching youthful drivers with educational and awareness messages of driving safety, we must first draw from North Carolina communities the members of that age group who can guide and direct us in creating and structuring the message to be relevant to that audience, and

**WHEREAS**, a grassroots effort guided by regional and statewide councils made up of young adults and members of relevant state agencies, can be effective in guiding efforts directed at improving driving safety and awareness of youthful drivers.

**NOW, THEREFORE**, by the authority vested in me as Governor by the laws and Constitution of the State of North Carolina **IT IS ORDERED:**

**Section 1. Establishment.**

The Governor's Council for Young Adult Drivers is established. The Council shall be an advisory committee to the Governor's Highway Safety Commission. The Council shall be composed of not more than twenty-five members appointed by the Governor to serve at the pleasure of the Governor plus up to six members elected annually by the regional councils authorized by this order. Members of the Council shall consist of students and young adults selected from those who have demonstrated an interest in promoting the safety and well-being of their peers by reducing the devastation and human suffering due to automobile crashes. Members will be charged with researching and presenting the views of young adults from within their respective school district representing the geographical areas of the state. Members of the Council shall also be appointed to represent several state agencies having the responsibility to assist in the education of youthful drivers. The Governor shall designate one of the members as Chair and one as Vice Chair.

**Section 2. Regional Councils.**

The Council shall have the authority to establish up to six regional councils, made up of student members from each of the respective school districts within the regions, to promote efforts of increasing awareness for highway safety topics, and in drawing community input. The Council shall have the power to select the appropriate number of delegates to serve as members of the regional councils. Each regional

## ***EXECUTIVE ORDERS***

---

council shall have the power to select one delegate to serve on the Council board.

### **Section 3. Duties.**

Through coordination with the school districts and the regional councils, the Council shall research and evaluate the problems of young adult automobile crashes as directed by the board and return recommendations and program suggestions designed to reduce automobile crashes, injuries and fatalities among young drivers. The Council shall review and select from recommendations, programs and suggestions to establish the guidelines, direction and curricula designed to promote safe driving by young adult drivers in North Carolina. The Council shall issue its recommendations annually, providing those to the Governor, the Speaker of the North Carolina House of Representatives, the President Pro-Tempore of the North Carolina Senate and the Chairman of the North Carolina State Board of Education and the Governor's Highway Safety Commission. Once approved, the programs and recommendations presented to

the Governor shall be distributed as the official State of North Carolina Young Adult Traffic Safety Plan.

### **Section 4. Administration and Expenses.**

Members shall receive no remuneration for their services. Funds for operating the Council shall be made available from funds authorized by the Governor's Highway Safety Program. The Youth Traffic Safety Coordinator of the Governor's Highway Safety Program shall serve as staff director of the Council. All state agencies are hereby directed to provide such assistance as shall be required by the Council to the end that the purpose of this executive order may be effectuated.

This Order is effective immediately.

Done in Raleigh, this the 13th day of December, 1995.

**TITLE 15A - DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES****CHAPTER 2 - ENVIRONMENTAL MANAGEMENT****SUBCHAPTER 2L - GROUNDWATER CLASSIFICATION AND STANDARDS****SECTION .0200 - CLASSIFICATIONS AND GROUNDWATER QUALITY STANDARDS**

**N**otice of *Rule-making Proceedings* is hereby given by the Environmental Management Commission in accordance with G.S. 150B-21.2(b). The agency shall subsequently publish in the *Register* the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

**Rule Citation:** 15A NCAC 2L .0202

**Statutory Authority for the rule-making:** G.S. 143-214.1; 143B-282(a)(2)

**Statement of the Subject Matter:** 15A NCAC 2L .0202 - GROUNDWATER QUALITY STANDARDS; (EIGHTEEN CHEMICALS)

The amendment to 15A NCAC 2L .0202 proposes that the Groundwater Quality Standards for these substances in Class GA and Class GSA groundwaters be established as follows:

<u>SUBSTANCE</u>	<u>CONCENTRATION</u>
Acenaphthene.....	0.08 milligrams/Liter
Acenaphthylene.....	0.21 milligrams/Liter
Anthracene.....	2.10 milligrams/Liter
Atrazine.....	0.0030 milligrams/Liter
Benzo(a)anthracene.....	0.0000479 milligrams/Liter
Benzo(g,h,i)perylene.....	0.21 milligrams/Liter
Bromodichloromethane.....	0.00056 milligrams/Liter
Caprolactam.....	3.5 milligrams/Liter
Carbon Disulfide.....	0.7 milligrams/Liter
Chloroethane.....	2.80 milligrams/Liter
Chrysene.....	0.00479 milligrams/Liter
1,3-Dichloropropene (cis and trans isomers).....	0.00019 milligrams/Liter
Diphenyl.....	0.35 milligrams/Liter
Fluoranthene.....	0.28 milligrams/Liter
Isopropyl Ether.....	0.07 milligrams/Liter
Methanol.....	3.5 milligrams/Liter
Pyrene.....	0.21 milligrams/Liter

Simazine..... 0.0035 milligrams/Liter

**Reason for Proposed Action:** *The amendment to 15A NCAC 2L .0202, Groundwater Quality Standards, will establish groundwater standards for Acenaphthene, Acenaphthylene, Anthracene, Atrazine, Benzo(a)anthracene, Benzo(g,h,i)perylene, Bromodichloromethane, Carbon Disulfide, Caprolactam, Chloroethane, Chrysene, 1,3-Dichloropropene(cis and trans), Diphenyl(1,1-Diphenyl), Fluoranthene, Isopropyl Ether(Diisopropyl Ether), Methyl Alcohol, Pyrene, and Simazine. Action to consider adoption of concentration levels for these eighteen substances as groundwater standards is necessary to satisfy requirements of 15A NCAC 2L .0202(c). All proposed Groundwater Quality Standards are the same as those concentrations that are presently in effect as Interim Maximum Allowable Concentrations. The proposed rule changes are being made to incorporate the most updated health information and concentration levels as Groundwater Quality Standards in 15A NCAC 2L .0202.*

**Comment Procedures:** *All persons interested in this proposed amendment are encouraged to submit written comments or questions to David Hance, EHNR-DEM: Groundwater Section, P.O. Box 29578, Raleigh, NC 27626-0578, (919) 733-3221. Comments will be accepted through March 20, 1996.*

The Codifier of Rules has entered the following temporary rule(s) in the North Carolina Administrative Code. Pursuant to G.S. 150B-21.1(e), publication of a temporary rule in the *North Carolina Register* serves as a notice of rule-making proceedings for a permanent rule that does not differ substantially from the published temporary rule.

## **TITLE 10 - DEPARTMENT OF HUMAN RESOURCES**

**Rule-making Agency:** *North Carolina Child Day Care Commission*

**Rule Citation:** *10 NCAC 3U .0102, .2701 - .2704*

**Effective Date:** *January 1, 1996*

**Findings Reviewed by the Codifier of Rules:** *Approved*

**Statutory Authority for the rule-making:** *G.S. 110-90.2; 114-19.5; S.L. 1995, c. 507, s. 23.25(c)*

**Reason for Proposed Action:** *During the 1995 Regular Session the General Assembly passed legislation requiring all child day care providers to complete a criminal history check. Because the bill was not ratified until July 28, 1995 and the implementation date is January 1, 1996, there is not sufficient time to follow the procedures as required by the rules for permanent rule making. At the November 2, 1995 North Carolina Child Day Care Commission meeting the criminal records check law and proposed rules were discussed. The Division of Child Development also held an advisory meeting on November 9, 1995 with 20 individuals representing various child care organizations and providers to receive input on the temporary rules. A mailing was sent on November 30, 1995 to members of the NC Child Day Care Commission mailing list, notifying over 300 individuals of the teleconference held on December 7, 1995 to adopt the temporary rules. Included in this mailing was a copy of the proposed temporary rules.*

**Comment Procedures:** *Questions or written comments regarding this matter may be directed to Jeanne Marlowe, APA Coordinator, Division of Child Development, P.O. Box 29553, Raleigh, NC 27626-0553; (919) 662-4535.*

## **CHAPTER 3 - FACILITY SERVICES**

### **SUBCHAPTER 3U - CHILD DAY CARE STANDARDS**

#### **SECTION .0100 - PURPOSE AND DEFINITIONS**

##### **.0102 DEFINITIONS**

The terms and phrases used in this Subchapter shall be defined as follows except when the content of the rule clearly requires a different meaning. The definitions prescribed in G.S. 110-86 also apply to these Rules.

- (1) "Age appropriate" means suitable to the chronological age range and developmental characteristics of a specific group of children.
- (2) "Agency" means the Child Day Care Section, Division of Facility Services, Department of Human Resources, located at 701 Barbour Drive, Raleigh, North Carolina 27603.
- (3) "Appellant" means the person or persons who request a contested case hearing.
- (4) "A" license means the license issued to day care operators who meet the minimum requirements for the legal operation of a child day care facility pursuant to G.S. 110-91 and applicable rules in this Subchapter.
- (5) "AA" license means the license issued to day care operators who meet the higher voluntary standards promulgated by the Child Day Care Commission as codified in Section .1600 of this Subchapter.
- (6) "Child Care Program" means a provider of child day care services and may consist of a single center or home, or a group of centers or homes or both, which are operated by one owner or supervised by a common sponsor.
- (7) "Child day care provider" as defined by G.S. 110-90.2 and used in Section .2700 of this Subchapter, includes but is not limited to the following employees: facility directors, administrative staff, teachers, teachers' aides, cooks, maintenance personnel and drivers.
- (8) "(7) "Day care center" means any day care facility as defined in G.S. 110-86(3) which is authorized to provide day care to 13 or more children when any child present is preschool-age according to the definition of preschool-aged child in this Rule.

- (9) (8) "Day care home" means any child day care home as defined in G.S. 110-86(4) which provides day care on a regular basis of at least once per week for more than four hours, but less than 24 hours per day. Child care arrangements excluded from the definition of day care facility in G.S. 110-86(3) are excluded as day care homes.
- (10) (9) "Department" means the Department of Human Resources.
- (11) (10) "Division" means the Division of Facility Services within the Department of Human Resources.
- (12) (11) "Drop-in care" means a child day care arrangement where children attend on an intermittent, unscheduled basis.
- (13) (12) "Group" means the children assigned to a specific caregiver, or caregivers, to meet the staff/child ratios set forth in G.S. 110-91(7) and this Subchapter, using space which is identifiable for each group.
- (14) (13) "Large child day care center" or "large center" means any day care center which is authorized to provide care to 80 or more children.
- (15) (14) "Large child day care home" or "large home" means any day care facility as defined in G.S. 110-86(3) which is authorized to routinely provide care to a maximum of 12 children when any child present is preschool-aged or, when all children present are school-aged, to a maximum of 15 children. Provided the appropriate child/staff ratios are not exceeded, the large home may exceed these maximum capacities by no more than two children:
- (a) during the school year for no more than one hour immediately after school; and
- (b) during the two week period preceding and the two week period following the public school year.
- (16) (15) "Licensee" means the person or entity that is granted permission by the State of North Carolina to operate a day care center.
- (17) (16) "Licensing Manual" means the document published by the Child Day Care Section which contains the procedures and standards required by North Carolina law, the Commission and the Department for licensure of child day care centers. The licensing manual may be obtained from the Section at the address given in Item (1) of this Rule.
- (18) (17) "Medium child day care center" or "medium center" means any day care center which is authorized to provide day care to at least 30 but no more than 79 children.
- (19) (18) "Operator" means the person or entity held responsible by law as the owner of a child day care business. The terms "operator", "sponsor" or "licensee" are used interchangeably.
- (20) (19) "Part-time care arrangement" means a child care arrangement as defined in G.S. 110-86 which provides care on less than a full-time basis. Examples of part-time care arrangements are certain drop-in, before/after school, and seasonal programs.
- (21) (20) "Passageway" means a hall or corridor.
- (22) (21) "Preschool (formerly preschool-aged) child" means any child under 13 years of age who does not fit the definition of school-aged child in this Rule.
- (23) (22) "Provisional License" means the type of license issued to a center which does not conform in every respect with the standards for an "A" license.
- (24) (23) "Registrant" means the person or entity that is granted permission by the State of North Carolina to operate a day care home.
- (25) (24) "School-aged child" means any child who is at least five years old on or before October 16 of the current school year and who is attending, or has attended, a public or private grade school or kindergarten.
- (26) (25) "Section" means the Child Day Care Section, Division of Facility Services, Department of Human Resources. The Section is located at the address given in Item (1) of this Rule.
- (27) (26) "Small day care center" or "small center" means any day care center which is authorized to provide day care for a maximum of 29 children.
- (28) (27) "Small day care home" or "small home" means the child care arrangements defined in G.S. 110-86(4) which are subject to the registration requirements set forth in Section .1700 of this Subchapter.
- (29) (28) "Special Provisional License" means the type of license which may be issued a day care operator pursuant to the conditions of G.S. 110-88(6a) when child abuse or neglect has occurred in the center.
- (30) (29) "Substitute" means any person who temporarily assumes the duties of a regular staff person for a time period not to exceed two consecutive months.
- (31) (30) "Teacher" means the caregiver who has responsibility for planning and implementing the daily program of activities for each group of children.
- (32) (31) "Temporary care arrangement" means any child day care arrangement required to be regulated pursuant to G.S. 110-86 which provides either drop-in care or care on a seasonal or other part-time basis.
- (33) (32) "Temporary license" means the license which may be issued when a licensed center changes location or changes ownership.
- (34) (33) "Volunteer" means a person who works in a day care center or day care home and is not monetarily compensated by the center or home.

*History Note:* Authority G.S. 110-88; 143B-168.3;  
Eff. January 1, 1986;  
Amended Eff. October 1, 1991; October 1, 1990; November 1, 1989;  
Temporary Amendment Eff. January 1, 1996.

## **SECTION .2700 - CRIMINAL RECORDS CHECKS**

### **.2701 APPLICATION FOR PERMITS**

(a) Beginning with the date set forth in the Division's implementation schedule, and in addition to the requirements set forth in Rule .0302 of this Subchapter and in Rule .1702 of this Subchapter the prospective child care provider shall submit to the Division at the time of application the following forms:

- (1) a certified criminal history check from the Clerk of Superior Court's office in the county where the individual resides;
- (2) a signed Authority for Release of Information using the form provided by the Division; and
- (3) a completed fingerprint card using SBI form FD-258.

If the prospective child care provider has lived in North Carolina for less than five consecutive years immediately preceding the date the fingerprint card is completed, a second fingerprint card shall be submitted in order to complete a national check.

(b) The prospective child care provider shall sign and submit a statement declaring under penalty of perjury if he or she has been convicted of a crime other than a minor traffic violation. If the prospective child care provider has been convicted of a crime including, but not limited to, those specified in G.S. 110-90.2, the prospective child care provider shall acknowledge on the statement that he or she is aware that the issuance of a permit is conditional pending approval by the Division.

(c) If the prospective child care provider has been convicted of a crime including, but not limited to, those specified in G.S. 110-90.2, he or she may submit to the Division additional information concerning the conviction that could be used by the Division in making the determination of the prospective child care provider's qualification. The Division may consider the following in making their decision: length of time since conviction; nature of the crime; circumstances surrounding the commission of the offense or offenses; evidence of rehabilitation; number of prior offenses; and age of the individual at the time of occurrence.

(d) A prospective child care provider's refusal to complete the required criminal history record check paperwork is reasonable cause to deny issuance of a permit.

(e) The Division shall notify the prospective child care provider in writing of the determination by the Division of the individual's fitness to have responsibility for the safety and well-being of children based on the criminal history.

(f) Determination by the Division that the prospective child care provider is disqualified is reasonable cause to deny issuance of a permit.

(g) If the prospective child care provider is a firm, partnership, association, or corporation, the chief executive officer or other person serving in like capacity, or a person designated by the chief executive officer as responsible for the operation of the facility, shall complete the criminal history record check as specified in Paragraph (a) of this Rule.

(h) When a Letter of Intent to Operate pursuant to G.S. 110-106 and G.S. 110-106.1 is submitted to the Division, the person signing the Letter of Intent shall also submit all forms as required in Rule .2702(a) of this Section.

(i) Determination by the Division that the person submitting the Letter of Intent is disqualified is reasonable cause to issue a Notice to Cease Operation.

(j) Any child care provider who owns or operates an existing child care program, and who is applying for a permit for an additional child care program within one year from the date of qualification that was based on fingerprinting, shall submit a certified criminal history check from the Clerk of Superior Court's office in the county where the individual resides. A new fingerprint card shall not be required unless deemed necessary by the Division in making the determination of qualification. If the criminal history check was completed more than one year prior to the application for an additional child care program, the applicant shall complete all forms as required in Paragraph (a) of this Rule.

*History Note:* Authority G.S. 110-90.2; 114-19.5; 143B-168.3; S.L. 1995, c. 507, s. 23.25;  
Temporary Adoption Eff. January 1, 1996.

### **.2702 CRIMINAL RECORD CHECK REQUIREMENTS FOR CHILD CARE PROVIDERS**

(a) Beginning with the date set forth in the Division's implementation schedule, child care providers shall submit the following to their employer no later than five working days after beginning work:

- (1) a certified criminal history check from the Clerk of Superior Court's office in the county where the individual resides;
- (2) a signed Authority for Release of Information using the form provided by the Division;

- (3) a fingerprint card using SBI form FD-258; and
- (4) a signed statement declaring under penalty of perjury if he or she has been convicted of a crime other than a minor traffic violation.

If the child care provider has been convicted of a crime, including, but not limited to, those specified in G.S. 110-90.2, the child care provider shall acknowledge on the statement that he or she is aware that the employment is conditional pending approval by the Division. If the child care provider has lived in North Carolina for less than five consecutive years immediately preceding the date the fingerprint card is completed, a second fingerprint card shall be submitted in order to complete a national check.

(b) If the child care provider has been convicted of a crime, including, but not limited to, those specified in G.S. 110-90.2, he or she may submit to the Division additional information concerning the conviction that could be used by the Division in making the determination of the provider's qualification for employment. The Division may consider the following in making their decision: length of time since conviction; nature of the crime; circumstances surrounding the commission of the offense or offenses; evidence of rehabilitation; number of prior offenses; and age of the individual at the time of occurrence.

(c) The child care provider's employer shall mail the local criminal history check, Authority for Release of Information using the form provided by the Division, and fingerprint card(s) to the Division no later than three working days after receipt. A copy of the submitted information, and the declaration statement, shall be maintained in the child care provider's personnel file, and shall be available for review by a representative of the Division.

(d) The child care provider shall be on probationary status pending the determination of qualification or disqualification by the Division.

(e) The Division shall notify the child care provider in writing of the determination by the Division of the individual's fitness to have responsibility for the safety and well-being of children based on the criminal history. The Division shall notify the employer if any, in writing of the Division's determination concerning the child care provider; however, the employer shall not be told the specific information used in making the determination.

(f) If the child care provider changes employers within one year from the date of qualification that was based on fingerprinting, he or she shall submit a certified criminal history check from the Clerk of Superior Court's office in the county where the individual resides. This local check shall be submitted to his or her employer no later than five working days after beginning work. The employer shall complete the steps as defined in Paragraphs (c), (d) and (g) of this Rule. A new fingerprint card shall not be required unless deemed necessary by the Division in making its determination of qualification. If the criminal history check was completed more than one year prior to employment, the child care provider shall complete all forms as required in Paragraph (a) of this Rule.

(g) Child care providers determined by the Division to be disqualified shall be terminated by the facility or small day care home immediately upon receipt of the disqualification notice.

(h) Refusal on the part of the employer to dismiss a child care provider who has been found to be disqualified shall be grounds for suspension, denial or revocation of the permit in addition to any other administrative action or civil penalties pursued by the Division. If an employer appeals the administrative action, the child care provider shall not be employed during the appeal process.

(i) A substitute child care provider who is employed for more than five days, whether working full or part-time, shall submit all forms as required in Paragraph (a) of this Rule to the employer by the end of the fifth working day. The employer shall complete the steps as defined in Paragraphs (c), (d) and (g) of this Rule.

History Note: Authority G.S. 110-90.2; 114-19.5; 143B-168.3; S.L. 1995, c. 507, s. 23.25;  
Temporary Adoption Eff. January 1, 1996.

#### .2703 CRIMINAL RECORD CHECK REQUIREMENTS FOR CURRENT CHILD CARE PROVIDERS

(a) Current child care providers shall submit all forms as required in Rule .2702(a) of this Section and based upon the implementation schedule developed by the Division.

(b) If the child care provider has been convicted of a crime, including, but not limited to, those specified in G.S. 110-90.2, he or she may submit to the Division additional information concerning the conviction that could be used by the Division in making the determination of the provider's qualification. The Division may consider the following in making their decision: length of time since conviction; nature of the crime; circumstances surrounding the commission of the offense or offenses; evidence of rehabilitation; number of prior offenses; and age of the individual at the time of occurrence.

(c) The Division shall notify the child care provider in writing of the determination by the Division of the individual's fitness to have responsibility for the safety and well-being of children based on the criminal history. The Division shall notify the employer, if any, in writing of the Division's determination concerning the child care provider; however the employer shall not be told the specific information used in making the determination.

(d) Child care providers determined by the Division to be disqualified shall be terminated by the facility or small day care

home immediately upon receipt of the notification.

(e) Refusal on the part of the employer to dismiss a child care provider who has been found to be disqualified shall be grounds for suspension, denial or revocation of the permit in addition to any other administrative action or civil penalties pursued by the Division.

(f) Determination by the Division that the employer is disqualified is reasonable cause to suspend, deny or revoke the permit in addition to any other administrative actions or civil penalties pursued by the Division.

*History Note:* Authority G.S. 110-90.2; 114-19.5; 143B-168.3; S.L. 1995, c. 507, s. 23.25;  
Temporary Adoption Eff. January 1, 1996.

**.2704 CRIMINAL RECORD CHECK REQUIREMENTS FOR NONREGISTERED HOME PROVIDERS**

(a) Beginning with the date set forth in the Division's implementation schedule for current nonregistered home providers, and no later than five working days after applying for enrollment as a nonregistered home provider of subsidized child day care, the nonregistered home provider shall submit the following to the local purchasing agency:

- (1) a certified criminal history check from the Clerk of Superior Court's office in the county where the individual resides;
- (2) a signed Authority for Release of Information using the form provided by the Division;
- (3) a fingerprint card using SBI form FD-258; and
- (4) a signed statement declaring under penalty of perjury if he or she has been convicted of a crime other than a minor traffic violation.

If the nonregistered home provider has been convicted of a crime, including, but not limited to, those specified in G.S. 110-90.2, the nonregistered home provider shall acknowledge on the statement that he or she is aware that payment is conditional pending approval by the Division. If the nonregistered home provider has lived in North Carolina for less than five consecutive years immediately preceding the date the fingerprint card is completed, a second fingerprint card shall be submitted in order to complete a national check.

(b) If the nonregistered home provider has been convicted of a crime, including, but not limited to, those specified in G.S. 110-90.2, he or she may submit to the Division additional information concerning the conviction that could be used by the Division in making the determination of the provider's qualification. The Division may consider the following in making their decision: length of time since conviction; nature of the crime; circumstances surrounding the commission of the offense or offenses; evidence of rehabilitation; number of prior offenses; and age of the individual at the time of occurrence.

(c) The local purchasing agency shall mail the local criminal history check, Authority for Release of Information using the form provided by the Division, and fingerprint card(s) to the Division no later than five working days after receipt. A copy of the submitted information, and the declaration statement, shall be maintained in the nonregistered home provider's file.

(d) A nonregistered home provider may receive payment during the period in which the state or national criminal history check is being completed if the applicant would otherwise receive approval or temporary approval from the local purchasing agency for enrollment in the subsidized child day care program, subject to the provisions referenced in 10 NCAC 46G .0111(b), 10 NCAC 46G .0214, and 10 NCAC 46G .0215.

(e) The Division shall notify the nonregistered home provider in writing of the determination by the Division of the individual's fitness to have responsibility for the safety and well-being of children based on the criminal history. The Division shall notify the local purchasing agency in writing of the Division's determination concerning the nonregistered home provider; however, the local purchasing agency shall not be told the specific information used in making the determination.

(f) Disqualification of a nonregistered home provider by the Division shall be reasonable cause for the local purchasing agency to deny further payment.

(g) If a nonregistered home provider disagrees with the decision of disqualification and files a civil action in district court, the provider may continue to operate but shall not receive payment during the proceedings. If the determination is that the nonregistered home provider is qualified, the nonregistered provider shall receive retroactive payment for the care that was provided.

*History Note:* Authority G.S. 110-90.2; 114-19.5; 143B-168.3; S.L. 1995, c. 507, s. 23.25;  
Temporary Adoption Eff. January 1, 1996.

---

**TITLE 10 - DEPARTMENT OF HUMAN RESOURCES**

Rule-making Agency: Social Services Commission

Rule Citation: *10 NCAC 42V .0201, .0802 - .0803*

Effective Date: *December 12, 1995*

Findings Reviewed by the Codifier of Rules: *Approved*

Statutory Authority for the rule-making: *G.S. 108A-103; 143B-153*

**Reason for Proposed Action:** *Amendment of these Rules is necessary in order to ensure that county departments of social services can comply with Chapter 246 of the 1995 Session Laws which establish criminal penalties for the abuse, neglect or exploitation of disabled or elderly adults living in a domestic setting. The proposed amendments will enable county departments of social services to share confidential information with District Attorney's offices and law enforcement agencies.*

**Comment Procedures:** *Anyone wishing to comment should contact Sharnese Ransome, Special Assistant to the Director, Division of Social Services, 325 N. Salisbury Street, Raleigh, NC 27603, phone: (919) 733-3055.*

## **CHAPTER 42 - INDIVIDUAL AND FAMILY SUPPORT**

### **SUBCHAPTER 42V - PROTECTIVE SERVICES FOR ADULTS**

#### **SECTION .0200 - ACCEPTANCE AND EVALUATION OF PROTECTIVE SERVICES REPORTS**

##### **.0201 ACCEPTANCE OF REPORTS**

(a) The county department of social services must accept all reports alleging an abused, neglected, or exploited disabled adult is in need of protective services. This includes anonymous reports. If the county department determines that the address of the disabled adult given in the report is in another county, the department shall refer the person making the report to the appropriate county department. The county department receiving the original report shall follow up to make sure the appropriate county has received the report.

(b) The department of social services shall make arrangements for 24 hour coverage to receive calls and take appropriate action.

(c) Notwithstanding provisions in any other sections of 10 NCAC 42V, the Director may immediately tell the District Attorney's office and local law enforcement agencies when there is reason to believe that physical harm may occur to the disabled adult. This would include sharing evidence of abuse or neglect the agency has to date.

History Note: *Authority G.S. 108A-103; 143B-153;  
Eff. November 1, 1983;  
Amended Eff. December 1, 1991; July 1, 1990;  
Temporary Amendment Eff. December 12, 1995.*

#### **SECTION .0800 - CONFIDENTIALITY**

##### **.0802 IDENTITY OF COMPLAINANT AND OF INDIVIDUALS WHO HAVE KNOWLEDGE OF THE SITUATION**

The identity of the complainant and of individuals who provide information about have knowledge of the situation of the disabled adult shall be kept confidential unless the court requires that such persons' identities be revealed with the exception exceptions that the complainant's name and the names of individuals who provide information about have knowledge of the situation of the disabled adult may be given verbally to the Division of Facility Services when requested by that agency in order to carry out its investigation, and to the District Attorney's office and to law enforcement agencies which are prosecuting or conducting a criminal investigation of alleged abuse, neglect or exploitation of a disabled adult.

History Note: *Authority G.S. 108A-103; 143B-153;  
Eff. November 1, 1983;  
Amended Eff. December 1, 1991;  
Temporary Amendment Eff. December 12, 1995.*

##### **.0803 SPECIFIC FINDINGS**

Specific findings of the evaluation shall be kept confidential and shall not be released without consent of the disabled adult

## TEMPORARY RULES

---

or court order, except that the department of social services at its discretion may share information about the adult may be shared with other persons or agencies without the adult or caretaker's consent to the extent necessary to provide protective services. When evidence of abuse, neglect, or exploitation is found, upon request of the district attorney or law enforcement agencies, such information shall be sent to help with a criminal investigation or prosecution of abuse, neglect or exploitation.

**History Note:** Authority G.S. 143B-153;  
Eff. November 1, 1983;  
Temporary Amendment Eff. December 12, 1995.

---

## TITLE 17 - DEPARTMENT OF REVENUE

**Editor's Note:** G.S. 150B-1(d)(4) exempts the Department of Revenue from Part 2 Article 2A of Chapter 150B with respect to the notice and hearing requirements. The Department will however publish the text of proposed and temporary rules in the North Carolina Register prior to the scheduled time of review by the Rules Review Commission.

**Rule-making Agency:** North Carolina Department of Revenue

**Rule Citation:** 17 NCAC 1C .0504 and .0506

**Effective Date:** December 20, 1995

**Findings Reviewed by the Codifier of Rules:** Approved

**Statutory Authority for the rule-making:** G.S. 105-236; 105-241; 105-262

**Reason for Proposed Action:** Chapter 360 of the 1995 Session Laws amended the statutes transferring administration and collection of Insurance Premiums Tax from the Department of Insurance to the Department of Revenue. The effective date of this change is January 1, 1996. G.S. 105-241 requires the Secretary of Revenue to prescribe the method of payment of taxes. A significant number of taxpayers remitting the Insurance Premiums Tax annually pay an amount in excess of the Department's threshold for remitting by Electronic Funds Transfer (EFT); however, the Insurance Premiums Tax is not included in the administration rules for this payment method.

**Comment Procedures:** Questions or written comments regarding these rules may be directed to Jack Harper, APA Coordinator, Department of Revenue, P.O. Box 871, Raleigh, NC 27602-0871; (919) 733-8484.

## CHAPTER 1 - DEPARTMENTAL RULES

### SUBCHAPTER 1C - GENERAL ADMINISTRATION

#### SECTION .0500 - FORM OF PAYMENT

##### **.0504 EFT GENERAL REQUIREMENTS**

(a) Taxpayers who paid one million two hundred thousand dollars (\$1,200,000.00) or more of Withholding of Income Taxes from wages of individuals levied under G.S. 105 Article 4A during the selection period shall remit payments due and payable after January 1, 1994 by electronic funds transfer. Taxpayers who paid two hundred forty thousand dollars (\$240,000.00) or more of Withholding of Income Taxes from wages of individuals levied under G.S. 105 Article 4A during the selection period shall remit payments due and payable after January 1, 1996 by electronic funds transfer.

(b) Taxpayers who paid four hundred thousand dollars (\$400,000.00) or more of Corporate Income Tax who are required to make installment payments of Estimated Income Tax by under G.S. 105 Article 4C during the selection period shall remit payments due and payable after January 1, 1994 by electronic funds transfer.

Taxpayers who paid two hundred forty thousand dollars (\$240,000.00) or more of Corporate Income Tax who are required to make installment payments of Estimated Income Tax under G.S. 105 Article 4C during the selection period shall remit payments due and payable after January 1, 1996 by electronic funds transfer.

(c) Taxpayers subject to the following tax types who paid one million two hundred thousand dollars (\$1,200,000.00) or more during the selection period shall remit payments due on or after July 1, 1994 by electronic funds transfer:

(1) Alcoholic Beverage Excise Taxes payable under G.S. 105 Article 2C.

- (2) Utilities Franchise Taxes levied under G.S. 105-116 or G.S. 105-120.
- (3) Utilities Sales Taxes due under the provisions of G.S. 105-164.4(a)(4c).

Taxpayers subject to the above tax types who paid two hundred forty thousand dollars (\$240,000.00) or more during the selection period shall remit payments due on or after January 1, 1996 by electronic funds transfer.

(d) Except as provided in Subparagraph (c)(3) of this Rule, taxpayers who paid one million two hundred thousand dollars (\$1,200,000.00) or more in Sales and Use Tax levied under G.S. 105 Article 5 and Articles 39, 40, and 42 of Subchapter VIII during the selection period shall remit payments due on or after October 1, 1994 by EFT. Except as provided in Subparagraph (c)(3) of this Rule, taxpayers who paid two hundred forty thousand dollars (\$240,000.00) or more in Sales and Use Tax levied under G.S. 105 Article 5 and Articles 39, 40, and 42 of Subchapter VIII during the selection period shall remit payments due on or after October 1, 1995 by EFT.

(e) Taxpayers who paid two hundred forty thousand dollars (\$240,000.00) or more in Motor Fuels Taxes levied under G.S. 105 Article 36 and 36A of Subchapter V during the selection period shall remit payments due on or after July 1, 1995 by EFT.

(f) Taxpayers who paid one million two hundred thousand dollars (\$1,200,000.00) or more of Tobacco Products Tax levied under G.S. 105, Article 2A during the selection period shall remit payments due on or after January 1, 1995 by electronic funds transfer. Taxpayers who paid two hundred forty thousand dollars (\$240,000.00) or more of Tobacco Products Tax levied under G.S. 105 Article 2A during the selection period shall remit payments due on or after January 1, 1996 by electronic funds transfer.

(g) Taxpayers who paid one million two hundred thousand dollars (\$1,200,000.00) or more of Soft Drink Tax levied under G.S. 105 Article 2B during the selection period shall remit payments due on or after January 1, 1995 by electronic funds transfer. Taxpayers who paid two hundred forty thousand dollars (\$240,000.00) or more of Soft Drink Tax levied under G.S. 105 Article 2B during the selection period shall remit payments due on or after January 1, 1996 by electronic funds transfer.

(h) Taxpayers who paid two hundred forty thousand dollars (\$240,000.00) or more of Insurance Taxes levied under Chapter 105 Article 8B during the selection period shall remit payments due on or after January 1, 1996 by electronic funds transfer.

(i) (h) The determination as to which taxpayers shall be subject to the remittance provisions to the rules in this Section is made by the Department, on a tax by tax basis, and is based on the average amount of tax paid during any 12 consecutive month period preceding the implementation of any new application or review of the payment requirement.

- (1) The Department shall notify the selected taxpayers of the requirements of these Rules by first class mail to their last address of record.
- (2) The Department shall provide the selected taxpayers with forms necessary for registering to make payments for the taxes through EFT. The Department shall provide an explanation of the payment options available.
- (3) The taxpayer must register to make payments for the taxes through EFT, and shall select a payment option subject to approval by the Department.
- (4) The Department shall provide technical assistance and guidance to the selected taxpayers concerning the payment of taxes through EFT. An EFT hotline shall be available to the taxpayers from 8:00 a.m. through 5:00 p.m., Eastern Standard Time, each business day, with exception of State holidays.

*History Note:* Authority G.S. 105-241; 105-262;

*Eff. October 1, 1993;*

*Amended Eff. May 1, 1995; March 1, 1995; November 1, 1994;*

*Temporary Amendment Eff. December 20, 1995.*

#### **.0506 VOLUNTARY EFT PROGRAM PARTICIPATION**

(a) The following taxpayers not subject to remittance provisions of 17 NCAC 1C .0504 may elect to participate in the EFT Program on or after January 1, 1995:

- (1) Taxpayers required to file returns and pay Withholding of Income Taxes from wages of individuals under the "Three Banking Day" provision as required by G.S. 105-163.6 Article 4A.
- (2) Taxpayers required to remit installment payments of Estimated Corporate Income Tax under G.S. 105 Article 4C.
- (3) Taxpayers who remit Alcoholic Beverage Excise Taxes payable under G.S. 105 Article 2C.
- (4) Taxpayers who remit Utility Sales Tax payable under the provisions of G.S. 105-164.4(a)(4c).
- (5) Taxpayers who remit Utility Franchise Tax payable under G.S. 105-116 or G.S. 105-120, excluding telephone companies who remit less than three thousand dollars (\$3,000.00) per month.
- (6) Taxpayers who are directed by the Secretary or volunteer to file reports for Sales and Use Tax on a semi-monthly basis under G.S. 105-164.16(b).

**TEMPORARY RULES**

---

- (7) Taxpayers who remit Motor Fuels Taxes levied under G.S. 105 Article 36 and 36A.
  - (8) Taxpayers who remit Tobacco Products Tax levied under G.S. 105 Article 2A.
  - (9) Taxpayers who remit Soft Drink Tax levied under G.S. 105 Article 2B.
  - (10) Taxpayers who remit Insurance Taxes levied under Chapter 105 Article 8B.
- (b) Taxpayers electing to voluntarily participate in the EFT Program must complete and return Form AC-EFT-100V, Electronic Funds Transfer Authorization Agreement for Voluntary Participants.
- (c) Taxpayers who elect to participate in the EFT Program shall be required to remit payments electronically for a minimum of 12 consecutive months. A taxpayer may withdraw from the EFT Program after 12 months by giving the Department 45 days written notice.
- (d) Taxpayers who elect to participate in the EFT Program shall be subject to the penalty provisions stated in G.S. 105-236(1a) and (1b).
- (e) Taxpayers electing to participate in the EFT Program shall be subject to the same rules and guidelines as taxpayers subject to the remittance provisions of 17 NCAC 1C .0504.

*History Note: Authority G.S. 105-241; 105-262;*

*Eff. October 1, 1993;*

*Amended Eff. March 1, 1995; November 1, 1994;*

*Temporary Amendment Eff. December 20, 1995.*

## LIST OF RULES CODIFIED

**T**he List of Rules Codified is a listing of rules that were filed with OAH in the month indicated.

**K**ey:

Citation	= Title, Chapter, Subchapter and Rule(s)
AD	= Adopt
AM	= Amend
RP	= Repeal
With Chgs	= Final text differs from proposed text
Corr	= Typographical errors or changes that requires no rulemaking
Eff. Date	= Date rule becomes effective
Temp. Expires	= Rule was filed as a temporary rule and expires on this date or 180 days

### NORTH CAROLINA ADMINISTRATIVE CODE

**OCTOBER 95**

TITLE	DEPARTMENT	TITLE	DEPARTMENT
2	Agriculture	19A	Transportation
10	Human Resources	21	Occupational Licensing Boards
12	Justice		48 - Physical Therapy Examiners
13	Labor		52 - Podiatry Examiners
15A	Environment, Health, and Natural Resources		60 - Refrigeration Examiners
16	Public Instruction	23	68 - Substance Abuse Professionals
17	Revenue	26	Community Colleges
18	Secretary of State	27	Office of Administrative Hearings State Bar

Citation				AD	AM	RP	With Chgs	Corr	Eff. Date	Temp. Expires
2	NCAC	34	.0904		✓		✓		11/01/95	
10	NCAC	3C	.0101 - .0102			✓			01/01/96	
			.0104 - .0110			✓			01/01/96	
			.0201 - .0203			✓			01/01/96	
			.0301 - .0307			✓			01/01/96	
			.0401 - .0407			✓			01/01/96	
			.0501 - .0505			✓			01/01/96	
			.0601 - .0604			✓			01/01/96	
			.0701 - .0708			✓			01/01/96	
			.0801 - .0805			✓			01/01/96	
			.0807			✓			01/01/96	
			.0901 - .0917			✓			01/01/96	
			.1001 - .1006			✓			01/01/96	
10	NCAC	3C	.1101 - .1102				✓		01/01/96	

**LIST OF RULES CODIFIED**

---

Citation	AD	AM	RP	With Chgs	Corr	Eff. Date	Temp. Expires
.1201 - .1204			✓			01/01/96	
.1301 - .1303			✓			01/01/96	
.1401 - .1405			✓			01/01/96	
.1501 - .1508			✓			01/01/96	
.1510			✓			01/01/96	
.1601 - .1606			✓			01/01/96	
.1701 - .1717			✓			01/01/96	
.1801 - .1805			✓			01/01/96	
.2101 - .2105			✓			01/01/96	
.3101	✓					01/01/96	
.3102	✓			✓		01/01/96	
.3103	✓					01/01/96	
.3104	✓			✓		01/01/96	
.3105 - .3106	✓					01/01/96	
.3107 - .3110	✓			✓		01/01/96	
.3201 - .3205	✓			✓		01/01/96	
.3301	✓					01/01/96	
.3303	✓			✓		01/01/96	
.3401	✓					01/01/96	
.3402	✓			✓		01/01/96	
.3403	✓					01/01/96	
.3404 - .3405	✓			✓		01/01/96	
.3501	✓					01/01/96	
.3502 - .3503	✓			✓		01/01/96	
.3601 - .3608	✓			✓		01/01/96	
.3609	✓					01/01/96	
.3701 - .3705	✓			✓		01/01/96	
.3706	✓					01/01/96	
.3707 - .3708	✓			✓		01/01/96	
.3801 - .3804	✓			✓		01/01/96	
.3901	✓			✓		01/01/96	
.3903 - .3907	✓			✓		01/01/96	
10 NCAC 3C .4001 - .4005	✓			✓		01/01/96	

**LIST OF RULES CODIFIED**

Citation	AD	AM	RP	With Chgs	Corr	Eff. Date	Temp. Expires
.4101	✓			✓		01/01/96	
.4103	✓			✓		01/01/96	
.4105	✓			✓		01/01/96	
.4106	✓					01/01/96	
.4107 - .4110	✓			✓		01/01/96	
.4201 - .4202	✓			✓		01/01/96	
.4204	✓			✓		01/01/96	
.4301 - .4302	✓			✓		01/01/96	
.4304 - .4306	✓			✓		01/01/96	
.4308	✓			✓		01/01/96	
.4402 - .4403	✓			✓		01/01/96	
.4501	✓					01/01/96	
.4503	✓					01/01/96	
.4504 - .4507	✓			✓		01/01/96	
.4509 - .4512	✓			✓		01/01/96	
.4513	✓					01/01/96	
.4514 - .4515	✓			✓		01/01/96	
.4516	✓					01/01/96	
.4601 - .4605	✓			✓		01/01/96	
.4701	✓					01/01/96	
.4703 - .4704	✓			✓		01/01/96	
.4802 - .4803	✓					01/01/96	
.4804 - .4806	✓			✓		01/01/96	
.4901	✓			✓		01/01/96	
.4902	✓					01/01/96	
.4903 - .4907	✓			✓		01/01/96	
.5001	✓			✓		01/01/96	
.5003	✓			✓		01/01/96	
.5004	✓					01/01/96	
.5005	✓			✓		01/01/96	
.5101 - .5105	✓			✓		01/01/96	
.5201	✓			✓		01/01/96	
10 NCAC 3C .5203	✓					01/01/96	

**LIST OF RULES CODIFIED**

Citation	AD	AM	RP	With Chgs	Corr	Eff. Date	Temp. Expires
.5204	✓			✓		01/01/96	
.5205	✓					01/01/96	
.5206 - .5207	✓			✓		01/01/96	
.6001 - .6002	✓					01/01/96	
.6101 - .6102	✓			✓		01/01/96	
.6103 - .6104	✓					01/01/96	
.6201 - .6206	✓			✓		01/01/96	
.6207	✓					01/01/96	
.6208	✓			✓		01/01/96	
.6209	✓					01/01/96	
.6210	✓			✓		01/01/96	
.6211 - .6215	✓					01/01/96	
.6216	✓			✓		01/01/96	
.6217 - .6221	✓					01/01/96	
.6222 - .6223	✓			✓		01/01/96	
.6224	✓					01/01/96	
.6225 - .6227	✓			✓		01/01/96	
3D .1401		✓				11/01/95	
3H .0108 - .0109			✓			01/01/96	
.0206 - .0220			✓			01/01/96	
.0306 - .0318			✓			01/01/96	
.0407 - .0408			✓			01/01/96	
.0505 - .0507			✓			01/01/96	
.0510 - .0517			✓			01/01/96	
.0605 - .0609			✓			01/01/96	
.0705 - .0712			✓			01/01/96	
.0810 - .0812			✓			01/01/96	
.0903 - .0911			✓			01/01/96	
.1003 - .1008			✓			01/01/96	
.1105 - .1109			✓			01/01/96	
.1130 - .1136			✓			01/01/96	
.1150 - .1163			✓			01/01/96	
10 NCAC 3H .1204 - .1208			✓			01/01/96	

**LIST OF RULES CODIFIED**

Citation	AD	AM	RP	With Chgs	Corr	Eff. Date	Temp. Expires
.1210			✓			01/01/96	
.1306 - .1308			✓			01/01/96	
.1405 - .1406			✓			01/01/96	
.1408 - .1410			✓			01/01/96	
.1501 - .1503			✓			01/01/96	
.1612 - .1613			✓			01/01/96	
.1703 - .1704			✓			01/01/96	
.1804 - .1807			✓			01/01/96	
.2101	✓			✓		01/01/96	
.2102	✓					01/01/96	
.2103	✓			✓		01/01/96	
.2104	✓					01/01/96	
.2105	✓			✓		01/01/96	
.2106 - .2110	✓					01/01/96	
.2204 - .2205	✓					01/01/96	
.2207 - .2208	✓					01/01/96	
.2209	✓			✓		01/01/96	
.2210	✓					01/01/96	
.2211	✓			✓		01/01/96	
.2303	✓			✓		01/01/96	
.2304	✓					01/01/96	
.2305 - .2306	✓			✓		01/01/96	
.2307	✓					01/01/96	
.2402	✓			✓		01/01/96	
.2502	✓					01/01/96	
.2503 - .2504	✓			✓		01/01/96	
.2602 - .2604	✓			✓		01/01/96	
.2901 - .2902	✓					01/01/96	
.3001	✓					01/01/96	
.3014	✓					01/01/96	
.3022 - .3026	✓					01/01/96	
.3028 - .3030	✓					01/01/96	
10 NCAC 3H .3032	✓					01/01/96	

**LIST OF RULES CODIFIED**

Citation		AD	AM	RP	With Chgs	Corr	Eff. Date	Temp. Expires
	.3101	✓					01/01/96	
	.3102 - .3103	✓			✓		01/01/96	
	.3104	✓					01/01/96	
	.3201	✓			✓		01/01/96	
	.3202	✓					01/01/96	
	.3301 - .3302	✓					01/01/96	
	.3401 - .3404	✓			✓		01/01/96	
3M	.0202 - .0205		✓		✓		11/01/95	
	.0207		✓		✓		11/01/95	
3R	.7001 - .7008	✓					10/01/95	TEMP
3U	.0604		✓		✓		01/01/96	
39D	.0302 - .0303		✓		✓		11/01/95	
42H	.0911		✓				12/01/95	
42W	.0001 - .0002		✓				11/01/95	
49C	.0107	✓					12/01/95	TEMP
12	NCAC	7D	.0808	✓			12/01/95	TEMP
	9F	.0101 - .0107	✓				11/01/95	TEMP
13	NCAC	7F	.0201			✓		
			.0201	✓			10/01/95	
15A	NCAC	2D	.1301 - .1302	✓			10/23/95	TEMP
			.1304	✓			10/23/95	TEMP
3J	.0403	✓					10/16/95	TEMP 77 DAYS
3K	.0105		✓				10/09/95	TEMP
3M	.0503		✓				11/01/95	TEMP
10B	.0115		✓				11/01/95	
10C	.0404		✓				12/01/95	
	.0407		✓		✓		12/01/95	
11	.0349		✓				11/22/95	TEMP
16	NCAC	6C	.0101	✓			10/10/95	TEMP
			.0313	✓			10/10/95	TEMP
6D	.0101		✓		✓		11/01/95	
	.0304		✓		✓		11/01/95	
17	NCAC	6B	.3905	✓			11/01/95	

**LIST OF RULES CODIFIED**

Citation	AD	AM	RP	With Chgs	Corr	Eff. Date	Temp. Expires
7B .0123		✓				11/01/95	
.4205		✓				11/01/95	
8 .0403 - .0407			✓			11/01/95	
.0503 - .0504			✓			11/01/95	
.0506			✓			11/01/95	
.0508 - .0509			✓			11/01/95	
.0603 - .0610			✓			11/01/95	
.0702 - .0706			✓			11/01/95	
.0901 - .0904			✓			11/01/95	
.1002 - .1003			✓			11/01/95	
.1102 - .1103			✓			11/01/95	
.1201			✓			11/01/95	
.1301 - .1302			✓			11/01/95	
.1501			✓			11/01/95	
.1505			✓			11/01/95	
.1511			✓			11/01/95	
.1601 - .1604			✓			11/01/95	
.1801 - .1802			✓			11/01/95	
9G .0102			✓			11/30/96	TEMP
.0104 - .0105			✓			11/30/96	TEMP
.0107			✓			11/30/96	TEMP
.0201 - .0203			✓			11/30/96	TEMP
.0301 - .0304			✓			11/30/96	TEMP
.0306			✓			11/30/96	TEMP
.0402 - .0404			✓			11/30/96	TEMP
.0502 - .0509			✓			11/30/96	TEMP
.0512			✓			11/30/96	TEMP
.0514			✓			11/30/96	TEMP
.0516			✓			11/30/96	TEMP
9H .0102 - .0103			✓			11/30/96	TEMP
.0105			✓			11/30/96	TEMP
.0202 - .0203			✓			11/30/96	TEMP
17 NCAC 9H .0206 - .0210			✓			11/30/96	TEMP

**LIST OF RULES CODIFIED**

Citation		AD	AM	RP	With Chgs	Corr	Eff. Date	Temp. Expires
	.0302 - .0303			✓			11/30/96	TEMP
	.0305 - .0306			✓			11/30/96	TEMP
	.0409			✓			11/30/96	TEMP
9K	.0201 - .0206	✓					01/01/96	TEMP
	.0401	✓					01/01/96	TEMP
	.0501 - .0513	✓					01/01/96	TEMP
	.0601 - .0602	✓					01/01/96	TEMP
9L	.0301 - .0302	✓					01/01/96	TEMP
	.0401 - .0404	✓					01/01/96	TEMP
18	NCAC 4 .0317 - .0318	✓					11/10/95	TEMP
19A	NCAC 3D .0517		✓				11/01/95	TEMP
	.0549		✓				11/01/95	TEMP
	.0551 - .0553	✓					11/01/95	TEMP
21	NCAC 48H .0104					✓		
	52 .1401	✓					10/01/95	
	60 .0105			✓			11/01/95	
	.1103		✓		✓		11/01/95	
68	.0501 - .0511	✓					10/23/95	TEMP
	.0601 - .0610	✓					10/23/95	TEMP
23	NCAC 2C .0108	✓			✓		12/01/95	
	.0211	✓			✓		12/01/95	
	.0306	✓					12/01/95	
26	NCAC 2A .0101 - .0102			✓			11/01/95	TEMP
	.0201 - .0212			✓			11/01/95	TEMP
	.0301			✓			11/01/95	TEMP
	.0303			✓			11/01/95	TEMP
	.0401 - .0406			✓			11/01/95	TEMP
	.0501 - .0507			✓			11/01/95	TEMP
2B	.0101			✓			11/01/95	TEMP
	.0103 - .0104			✓			11/01/95	TEMP
	.0201 - .0204			✓			11/01/95	TEMP
	.0301 - .0304			✓			11/01/95	TEMP
26	NCAC 2B .0401			✓			11/01/95	TEMP

***LIST OF RULES CODIFIED***

Citation		AD	AM	RP	With Chgs	Corr	Eff. Date	Temp. Expires
2C	.0101 - .0109	✓					11/01/95	TEMP
	.0201 - .0206	✓					11/01/95	TEMP
	.0301 - .0305	✓					11/01/95	TEMP
	.0401 - .0409	✓					11/01/95	TEMP
	.0501 - .0503	✓					11/01/95	TEMP
27	NCAC 1A .0203		✓				09/07/95	
	1B .0104		✓				09/07/95	
	.0108		✓				09/07/95	
	1D .0606		✓				09/07/95	
	.0902 - .0904		✓				09/07/95	
2	10.3		✓				09/07/95	

**T**he List of Rules Codified is a listing of rules that were filed with OAH in the month indicated.

**K**ey:

Citation = Title, Chapter, Subchapter and Rule(s)

AD = Adopt

AM = Amend

RP = Repeal

With Chgs = Final text differs from proposed text

Corr = Typographical errors or changes that requires no rulemaking

Eff. Date = Date rule becomes effective

Temp. Expires = Rule was filed as a temporary rule and expires on this date or 180 days

**NORTH CAROLINA ADMINISTRATIVE CODE****NOVEMBER 95**

<b>TITLE</b>	<b>DEPARTMENT</b>	<b>TITLE</b>	<b>DEPARTMENT</b>
2	Agriculture	19A	Transportation
10	Human Resources	21	Occupational Licensing Boards
11	Insurance		1 - Acupuncture
12	Justice		2 - Architecture
13	Labor		12 - General Contractors
15A	Environment, Health, and Natural Resources		19 - Electrolysis Examiners
16	Public Instruction		32 - Medical Examiners
17	Revenue	25	36 - Nursing
			State Personnel

<b>Citation</b>		<b>AD</b>	<b>AM</b>	<b>RP</b>	<b>With Chgs</b>	<b>Corr</b>	<b>Eff. Date</b>	<b>Temp. Expires</b>
2	NCAC 48E .0101			✓			12/01/95	
	.0201 - .0202			✓			12/01/95	
	.0301 - .0304			✓			12/01/95	
	.0401 - .0403			✓			12/01/95	
	.0501 - .0503			✓			12/01/95	
	.0601			✓			12/01/95	
10	NCAC 3C .3001	✓			✓		01/01/96	
	.3302	✓			✓		01/01/96	
	.3902	✓			✓		01/01/96	
	.4102	✓			✓		01/01/96	
	.4104	✓					01/01/96	
	.4203	✓			✓		01/01/96	
	.4303	✓			✓		01/01/96	

**LIST OF RULES CODIFIED**

Citation		AD	AM	RP	With Chgs	Corr	Eff. Date	Temp. Expires
10	NCAC 3C .4307	✓			✓		01/01/96	
	.4401	✓			✓		01/01/96	
	.4502	✓			✓		01/01/96	
	.4702	✓			✓		01/01/96	
	.4705	✓			✓		01/01/96	
	.4801	✓			✓		01/01/96	
	.5002	✓			✓		01/01/96	
	.5202	✓			✓		01/01/96	
3H	.2001	✓			✓		01/01/96	
	.2201	✓					01/01/96	
	.2202 - .2203	✓			✓		01/01/96	
	.2206	✓					01/01/96	
	.2212	✓			✓		01/01/96	
	.2301 - .2302	✓			✓		01/01/96	
	.2308	✓			✓		01/01/96	
	.2401	✓					01/01/96	
	.2501	✓			✓		01/01/96	
	.2505 - .2506	✓					01/01/96	
	.2601	✓			✓		01/01/96	
	.2605 - .2607	✓					01/01/96	
	.2701	✓			✓		01/01/96	
	.2801 - .2802	✓					01/01/96	
	.3002 - .3003	✓					01/01/96	
	.3004 - .3005	✓			✓		01/01/96	
	.3011 - .3013	✓					01/01/96	
	.3015	✓					01/01/96	
	.3016	✓			✓		01/01/96	
	.3021	✓					01/01/96	
	.3027	✓					01/01/96	
	.3031	✓					01/01/96	
3L	.0902			✓			02/01/96	
	.0903 - .0907			✓		✓	02/01/96	
	.1001 - .1002			✓			02/01/96	

**LIST OF RULES CODIFIED**

Citation		AD	AM	RP	With Chgs	Corr	Eff. Date	Temp. Expires
10	NCAC 3L .1003		✓		✓		02/01/96	
	.1005 - .1007		✓				02/01/96	
	.1101		✓				02/01/96	
	.1107		✓				02/01/96	
	.1111		✓				02/01/96	
	.1112	✓					02/01/96	
	.1201		✓				02/01/96	
	.1301		✓				02/01/96	
	.1302		✓		✓		02/01/96	
	.1303			✓			02/01/96	
	.1401		✓		✓		02/01/96	
	26G .0703 - .0705		✓				12/01/95	
	26H .0508		✓				12/01/95	
26I	.0101		✓		✓		12/11/95	
	.0102		✓		✓		12/01/95	
	.0103		✓		✓		12/11/95	
	.0104 - .0105			✓			12/01/95	
	.0106 - .0107		✓		✓		12/01/95	
	49C .0107		✓				12/01/95	TEMP
11	NCAC 16 .0704		✓		✓		12/01/95	
12	NCAC 7D .0201		✓				12/01/95	
	.0301		✓		✓		12/01/95	
	.0401		✓		✓		12/01/95	
	.0701		✓				12/01/95	
	.0706		✓				12/01/95	
	.0801		✓				12/01/95	
	.0806		✓				12/01/95	
	.0902		✓				12/01/95	
	.0904		✓				12/01/95	
8	.0103		✓				12/01/95	
9B	.0205		✓				07/01/97	
10B	.0102			✓			01/01/96	
	.0103		✓		✓		01/01/96	

**LIST OF RULES CODIFIED**

Citation		AD	AM	RP	With Chgs	Corr	Eff. Date	Temp. Expires
12	NCAC 10B .0105		✓		✓		01/01/96	
	.0204		✓				01/01/96	
	.0301		✓				01/01/96	
	.0304		✓		✓		01/01/96	
	.0307		✓				01/01/96	
	.0401		✓				01/01/96	
	.0402 - .0403		✓				01/01/96	
	.0405		✓		✓		01/01/96	
	.0407 - .0409		✓				01/01/96	
	.0502 - .0503		✓		✓		01/01/96	
	.0505		✓				01/01/96	
	.0601 - .0602		✓		✓		01/01/96	
	.0603		✓				01/01/96	
	.0604 - .0605		✓		✓		01/01/96	
	.0606 - .0607		✓				01/01/96	
	.0702		✓		✓		01/01/96	
	.0703		✓				01/01/96	
	.0704		✓				01/01/96	
	.0705 - .0706		✓				01/01/96	
	.0801		✓		✓		01/01/96	
	.0802 - .0803		✓				01/01/96	
	.0901		✓				01/01/96	
	.0903		✓				01/01/96	
	.0904 - .0905		✓		✓		01/01/96	
	.0906		✓				01/01/96	
	.0908 - .0909		✓		✓		01/01/96	
	.0910 - .0912		✓				01/01/96	
	.1004 - .1005		✓		✓		01/01/96	
	.1201		✓				01/01/96	
	.1202		✓		✓		01/01/96	
	.1203		✓				01/01/96	
	.1204 - .1205		✓				01/01/96	
13	NCAC 7F .0101		✓				01/01/96	

**LIST OF RULES CODIFIED**

Citation			AD	AM	RP	With Chgs	Corr	Eff. Date	Temp. Expires
13	NCAC	7F .0201		✓				01/01/96	
		.0501		✓				01/01/96	
15A	NCAC	2B .0304		✓		✓		01/01/96	
		.0316		✓				01/01/96	
		2H .1002 - .1003		✓				12/01/95	
		.1006		✓				12/01/95	
		10F .0323 - .0324		✓				12/01/95	
16	NCAC	6C .0401		✓				11/15/95	TEMP
17	NCAC	6B .3905					✓		
19A	NCAC	4A .0004		✓				12/01/95	
21	NCAC	1 .0201	✓					12/01/95	
		.0501	✓			✓		12/01/95	
		.0701	✓					12/01/95	
		2 .0208		✓				12/01/95	
		.0301		✓				12/01/95	
		.0302		✓		✓		07/01/96	
		12 .0302		✓				12/01/95	
		.0410	✓					12/01/95	
19		.0104	✓					12/01/95	
		.0204	✓			✓		12/01/95	
		.0616			✓			12/01/95	
	32B	.0901 - .0902	✓					12/01/95	
	32F	.0003		✓				12/01/95	
	32M	.0001		✓		✓		01/01/96	
		.0005 - .0006		✓		✓		01/01/96	
	36	.0401 - .0405		✓		✓		12/01/95	
25	NCAC	1D .0401		✓				12/01/95	
		.0406		✓		✓		12/01/95	
		.0504		✓		✓		12/01/95	
		.0510 - .0511		✓		✓		12/01/95	
		.0515		✓		✓		12/01/95	
		.0910		✓				12/01/95	
		.1001		✓		✓		12/01/95	

**LIST OF RULES CODIFIED**

Citation		AD	AM	RP	With Chgs	Corr	Eff. Date	Temp. Expires
25	NCAC 1D .1005		✓				12/01/95	
	.1009		✓		✓		12/01/95	
	.1010		✓		✓		12/01/95	
	.1928		✓		✓		12/01/95	
	.2601 - .2604	✓					12/01/95	
1E	.0304 - .0305		✓		✓		12/01/95	
	.1001		✓				12/01/95	
	.1002		✓				12/01/95	
	.1110		✓				12/01/95	
1H	.0628			✓			12/01/95	
1I	.2301		✓				12/01/95	
	.2302 - .2303		✓		✓		12/01/95	
	.2304		✓				12/01/95	
	.2305		✓		✓		12/01/95	
	.2306		✓				12/01/95	
	.2307 - .2308		✓		✓		12/01/95	
	.2309	✓			✓		12/01/95	
	.2310	✓					12/01/95	
1J	.0401		✓				12/01/95	
	.0402 - .0403			✓			12/01/95	
	.0404		✓		✓		12/01/95	
	.0405			✓			12/01/95	
	.0406		✓				12/01/95	
	.0407 - .0413			✓			12/01/95	
	.0501 - .0502		✓				12/01/95	
	.0503 - .0507		✓		✓		12/01/95	
	.0508		✓				12/01/95	
	.0509	✓			✓		12/01/95	
	.0510	✓					12/01/95	
	.0511	✓			✓		12/01/95	
	.0801		✓				12/01/95	
	.0802		✓		✓		12/01/95	
	.0803 - .0804			✓			12/01/95	

**LIST OF RULES CODIFIED**

Citation	AD	AM	RP	With Chgs	Corr	Eff. Date	Temp. Expires
25 NCAC 1J .0805		✓				12/01/95	
.0806 - .0809			✓			12/01/95	
1K .0318		✓		✓		12/01/95	
.0701		✓		✓		12/01/95	
.0702		✓				12/01/95	
.0703		✓		✓		12/01/95	
.0704			✓			12/01/95	
.0705		✓		✓		12/01/95	
.0707			✓			12/01/95	
.0708		✓		✓		12/01/95	
1L .0101		✓		✓		12/02/95	
.0102		✓				12/02/95	
.0103 - .0104		✓		✓		12/02/95	
.0105 - .0106			✓			12/02/95	

The Rules Review Commission (RRC) objected to the following rules in accordance with G.S. 150B-21.9(a). State agencies are required to respond to RRC as provided in G.S. 150B-21.12(a).

**AGRICULTURE****Structural Pest Control Division**

2 NCAC 34 .0904 - Prohibited Acts Agency Revised Rule	<i>RRC Objection Obj. Removed</i>	10/18/95 10/18/95
--	---------------------------------------	----------------------

**COMMUNITY COLLEGES****Community Colleges**

23 NCAC 2C .0301 - Admission to Colleges Agency Revised Rule	<i>RRC Objection Obj. Removed</i>	12/21/95 12/21/95
---	---------------------------------------	----------------------

**ENVIRONMENT, HEALTH, AND NATURAL RESOURCES****Adult Health**

15A NCAC 16A .1002 - Covered Medications Agency Revised Rule	<i>RRC Objection Obj. Removed</i>	12/21/95 12/21/95
15A NCAC 16A .1005 - Application Process Agency Revised Rule	<i>RRC Objection Obj. Removed</i>	12/21/95 12/21/95

**Coastal Management**

15A NCAC 7B .0101 - Purpose Agency Revised Rule	<i>RRC Objection Obj. Cont'd</i>	12/21/95 12/21/95
15A NCAC 7B .0201 - Contents of the Land Use Plan Agency Revised Rule	<i>RRC Objection Obj. Cont'd</i>	12/21/95 12/21/95
15A NCAC 7B .0204 - Goals and Objectives	<i>RRC Objection</i>	12/21/95
15A NCAC 7B .0206 - Data Collection and Analysis	<i>RRC Objection</i>	12/21/95
15A NCAC 7B .0207 - Present Conditions	<i>RRC Objection</i>	12/21/95
15A NCAC 7B .0210 - Constraints	<i>RRC Objection</i>	12/21/95
15A NCAC 7B .0211 - Estimated Demands	<i>RRC Objection</i>	12/21/95
15A NCAC 7B .0212 - Policy Statements	<i>RRC Objection</i>	12/21/95
15A NCAC 7B .0213 - Land Classification	<i>RRC Objection</i>	12/21/95
15A NCAC 7B .0215 - Public Participation	<i>RRC Objection</i>	12/21/95
15A NCAC 7B .0401 - Land Use Plan Amendment	<i>RRC Objection</i>	12/21/95
15A NCAC 7B .0402 - Public Hearing Required	<i>RRC Objection</i>	12/21/95
15A NCAC 7B .0501 - Update Required	<i>RRC Objection</i>	12/21/95

**Environmental Health**

15A NCAC 18A .1809 - Lavatories and Baths Agency Revised Rule	<i>RRC Objection Obj. Removed</i>	12/21/95 12/21/95
15A NCAC 18A .1811 - Drinking Water Facilities Agency Revised Rule	<i>RRC Objection Obj. Removed</i>	12/21/95 12/21/95
15A NCAC 18A .1814 - Disposal of Garbage and Trash: Premises Agency Revised Rule	<i>RRC Objection Obj. Removed</i>	12/21/95 12/21/95
15A NCAC 18A .1818 - Food Service Agency Revised Rule	<i>RRC Objection Obj. Removed</i>	12/21/95 12/21/95

**HUMAN RESOURCES**

## RRC OBJECTIONS

---

### Services for the Blind

10 NCAC 19G .0501 - Benefits Agency Revised Rule	RRC Objection Obj. Removed	12/21/95 12/21/95
10 NCAC 19G .0502 - Economic Needs Policies Agency Revised Rule	RRC Objection Obj. Removed	12/21/95 12/21/95

### Facility Services

10 NCAC 3C .3001 - Definitions No Response from Agency Agency Revised Rule <i>Agency Filed Rule for Codification Over RRC Objection</i>	RRC Objection Obj. Cont'd Obj. Cont'd	07/13/95 09/21/95 10/18/95
10 NCAC 3C .3108 - Suspension of Admissions No Response from Agency Agency Revised Rule	RRC Objection Obj. Cont'd Obj. Removed	07/13/95 09/21/95 10/18/95
10 NCAC 3C .3205 - Discharge of Minor or Incompetent No Response from Agency Agency Revised Rule	RRC Objection Obj. Cont'd Obj. Removed	07/13/95 09/21/95 10/18/95
10 NCAC 3C .3302 - Minimum Provisions of Patient's Bill of Rights No Response from Agency Agency Revised Rule <i>Agency Filed Rule for Codification Over RRC Objection</i>	RRC Objection Obj. Cont'd Obj. Cont'd	07/13/95 09/21/95 10/18/95
10 NCAC 3C .3502 - Bylaws No Response from Agency Agency Revised Rule	RRC Objection Obj. Cont'd Obj. Removed	07/13/95 09/21/95 10/18/95
10 NCAC 3C .3602 - Responsibilities No Response from Agency Agency Revised Rule	RRC Objection Obj. Cont'd Obj. Removed	07/13/95 09/21/95 10/18/95
10 NCAC 3C .3603 - Personnel Policies and Practices No Response from Agency Agency Revised Rule	RRC Objection Obj. Cont'd Obj. Removed	07/13/95 09/21/95 10/18/95
10 NCAC 3C .3607 - Personnel Health Requirements No Response from Agency Agency Revised Rule	RRC Objection Obj. Cont'd Obj. Removed	07/13/95 09/21/95 10/18/95
10 NCAC 3C .3608 - Insurance No Response from Agency Agency Revised Rule	RRC Objection Obj. Cont'd Obj. Removed	07/13/95 09/21/95 10/18/95
10 NCAC 3C .3704 - Status No Response from Agency Agency Revised Rule	RRC Objection Obj. Cont'd Obj. Removed	07/13/95 09/21/95 10/18/95
10 NCAC 3C .3902 - Manager No Response from Agency Rule Returned to Agency <i>Agency Filed Rule for Codification Over RRC Objection</i>	RRC Objection Obj. Cont'd	07/13/95 09/21/95
10 NCAC 3C .3904 - Patient Access No Response from Agency Agency Revised Rule	RRC Objection Obj. Cont'd Obj. Removed	07/13/95 09/21/95 10/18/95
10 NCAC 3C .4003 - Policies and Procedures No Response from Agency Agency Revised Rule	RRC Objection Obj. Cont'd Obj. Removed	07/13/95 09/21/95 10/18/95
10 NCAC 3C .4102 - Classification of Optional Emergency Services No Response from Agency Rule Returned to Agency <i>Agency Filed Rule for Codification Over RRC Objection</i>	RRC Objection Obj. Cont'd	07/13/95 09/21/95 10/18/95
10 NCAC 3C .4104 - Medical Director No Response from Agency	RRC Objection Obj. Cont'd	07/13/95 09/21/95

**RRC OBJECTIONS**

<i>Rule Returned to Agency</i>		10/18/95
<i>Agency Filed Rule for Codification Over RRC Objection</i>	<i>Eff.</i>	01/01/96
<i>10 NCAC 3C .4203 - Nursing Staff</i>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Returned to Agency</i>		10/18/95
<i>Agency Filed Rule for Codification Over RRC Objection</i>	<i>Eff.</i>	01/01/96
<i>10 NCAC 3C .4303 - Nursing Services Maternal Services</i>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Returned to Agency</i>		10/18/95
<i>Agency Filed Rule for Codification Over RRC Objection</i>	<i>Eff.</i>	01/01/96
<i>10 NCAC 3C .4307 - Nursing Staff of Neonatal Services</i>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Returned to Agency</i>		10/18/95
<i>Agency Filed Rule for Codification Over RRC Objection</i>	<i>Eff.</i>	01/01/96
<i>10 NCAC 3C .4401 - Organization</i>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Returned to Agency</i>		10/18/95
<i>Agency Filed Rule for Codification Over RRC Objection</i>	<i>Eff.</i>	01/01/96
<i>10 NCAC 3C .4502 - Pharmacist</i>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Returned to Agency</i>		10/18/95
<i>Agency Filed Rule for Codification Over RRC Objection</i>	<i>Eff.</i>	01/01/96
<i>10 NCAC 3C .4508 - Space</i>	<i>RRC Rescinded its July Approval</i>	10/18/95
	<i>Rule Withdrawn by Agency</i>	10/18/95
<i>10 NCAC 3C .4512 - Medications Dispensed</i>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	10/18/95
<i>10 NCAC 3C .4702 - Organization</i>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Returned to Agency</i>		10/18/95
<i>Agency Filed Rule for Codification Over RRC Objection</i>	<i>Eff.</i>	01/01/96
<i>10 NCAC 3C .4703 - Sanitation and Safety</i>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	10/18/95
<i>10 NCAC 3C .4704 - Distribution of Food</i>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	10/18/95
<i>10 NCAC 3C .4705 - Nutritional Support</i>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Returned to Agency</i>		10/18/95
<i>Agency Filed Rule for Codification Over RRC Objection</i>	<i>Eff.</i>	01/01/96
<i>10 NCAC 3C .4801 - Organization</i>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Returned to Agency</i>		10/18/95
<i>Agency Filed Rule for Codification Over RRC Objection</i>	<i>Eff.</i>	01/01/96
<i>10 NCAC 3C .4905 - Tissue Removal and Disposal</i>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	10/18/95
<i>10 NCAC 3C .5002 - Delivery of Care</i>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Returned to Agency</i>		10/18/95
<i>Agency Filed Rule for Codification Over RRC Objection</i>	<i>Eff.</i>	01/01/96
<i>10 NCAC 3C .5201 - Psychiatric/Substance Abuse Svcs.: Applicability of Rules</i>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	10/18/95
<i>10 NCAC 3C .5202 - Definitions Applicable/Psychiatric/Substance Abuse Svcs.</i>	<i>RRC Objection</i>	07/13/95

**RRC OBJECTIONS**

---

<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Agency Revised Rule</i>	<i>Obj. Cont'd</i>	10/18/95
<i>Agency Filed Rule for Codification Over RRC Objection</i>	<i>Eff.</i>	<i>01/01/96</i>
<b>10 NCAC 3C .5205 - Seclusion</b>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	10/18/95
<b>10 NCAC 3C .5302 - Definitions</b>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Withdrawn by Agency</i>		10/18/95
<b>10 NCAC 3C .5309 - Nursing/Health Care Administration and Supervision</b>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Withdrawn by Agency</i>		10/18/95
<b>10 NCAC 3C .5315 - Dental Care</b>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Withdrawn by Agency</i>		10/18/95
<b>10 NCAC 3C .5318 - Activities and Recreation</b>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Withdrawn by Agency</i>		10/18/95
<b>10 NCAC 3C .5319 - Social Services</b>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Withdrawn by Agency</i>		10/18/95
<b>10 NCAC 3C .5322 - Brain Injury Extended Care Physician Services</b>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Withdrawn by Agency</i>		10/18/95
<b>10 NCAC 3C .5323 - Brain Injury Extended Care Program Requirements</b>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Withdrawn by Agency</i>		10/18/95
<b>10 NCAC 3C .5324 - Special Nursing Req. Brain Injury Long Term Care</b>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Withdrawn by Agency</i>		10/18/95
<b>10 NCAC 3C .5325 - Ventilator Dependence</b>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Withdrawn by Agency</i>		10/18/95
<b>10 NCAC 3C .5326 - Physician Services for Ventilator Dependent Patients</b>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Withdrawn by Agency</i>		10/18/95
<b>10 NCAC 3C .5403 - HIV Designated Unit Policies and Procedures</b>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Withdrawn by Agency</i>		10/18/95
<b>10 NCAC 3C .5405 - Physician Services in a HIV Designated Unit</b>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Withdrawn by Agency</i>		10/18/95
<b>10 NCAC 3C .5407 - Use of Investigational Drugs on the HIV Designated Unit</b>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Withdrawn by Agency</i>		10/18/95
<b>10 NCAC 3C .5501 - Definitions</b>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Withdrawn by Agency</i>		10/18/95
<b>10 NCAC 3C .5502 - Physician Reg. for Inpatient Rehab. Facilities or Units</b>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Withdrawn by Agency</i>		10/18/95
<b>10 NCAC 3C .5507 - Comprehensive Rehabilitation Personnel Administration</b>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Withdrawn by Agency</i>		10/18/95
<b>10 NCAC 3C .5508 - Comprehensive Inpatient Rehab. Program Staffing Req.</b>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Wtihdrawn by Agency</i>		10/18/95

## RRC OBJECTIONS

---

10 NCAC 3C .5512 - Additional Req. for Traumatic Brain Injury Patients No Response from Agency Rule Withdrawn by Agency	RRC Objection Obj. Cont'd	07/13/95 09/21/95 10/18/95
10 NCAC 3C .5513 - Additional Req. for Spinal Cord Injury Patients No Response from Agency Rule Withdrawn by Agency	RRC Objection Obj. Cont'd	07/13/95 09/21/95 10/18/95
10 NCAC 3C .6102 - List of Referenced Codes and Standards No Response from Agency Agency Revised Rule	RRC Objection Obj. Cont'd Obj. Removed	07/13/95 09/21/95 10/18/95
10 NCAC 3C .6208 - Obstetrical Department Requirements No Response from Agency Agency Revised Rule	RRC Objection Obj. Cont'd Obj. Removed	07/13/95 09/21/95 10/18/95
10 NCAC 3H .2001 - Definitions No Response from Agency Rule Returned to Agency Agency Filed Rule for Codification Over RRC Objection	RRC Objection Obj. Cont'd	07/13/95 09/21/95 10/18/95 <b>Eff. 01/01/96</b>
10 NCAC 3H .2201 - Administrator No Response from Agency Rule Returned to Agency Agency Filed Rule for Codification Over RRC Objection	RRC Objection Obj. Cont'd	07/13/95 09/21/95 10/18/95 <b>Eff. 01/01/96</b>
10 NCAC 3H .2202 - Admissions No Response from Agency Rule Returned to Agency Agency Filed Rule for Codification Over RRC Objection	RRC Objection Obj. Cont'd	07/13/95 09/21/95 10/18/95 <b>Eff. 01/01/96</b>
10 NCAC 3H .2203 - Patients Not to be Admitted No Response from Agency Rule Returned to Agency Agency Filed Rule for Codification Over RRC Objection	RRC Objection Obj. Cont'd	07/13/95 09/21/95 10/18/95 <b>Eff. 01/01/96</b>
10 NCAC 3H .2206 - Medical Director No Response from Agency Rule Returned to Agency Agency Filed Rule for Codification Over RRC Objection	RRC Objection Obj. Cont'd	07/13/95 09/21/95 10/18/95 <b>Eff. 01/01/96</b>
10 NCAC 3H .2209 - Infection Control No Response from Agency Agency Revised Rule	RRC Objection Obj. Cont'd Obj. Removed	07/13/95 09/21/95 10/18/95
10 NCAC 3H .2212 - Quality Assurance Committee No Response from Agency Rule Returned to Agency Agency Filed Rule for Codification Over RRC Objection	RRC Objection Obj. Cont'd	07/13/95 09/21/95 10/18/95 <b>Eff. 01/01/96</b>
10 NCAC 3H .2301 - Patient Assessment and Care Planning No Response from Agency Rule Returned to Agency Agency Filed Rule for Codification Over RRC Objection	RRC Objection Obj. Cont'd	07/13/95 09/21/95 10/18/95 <b>Eff. 01/01/96</b>
10 NCAC 3H .2302 - Nursing Services No Response from Agency Rule Returned to Agency Agency Filed Rule for Codification Over RRC Objection	RRC Objection Obj. Cont'd	07/13/95 09/21/95 10/18/95 <b>Eff. 01/01/96</b>
10 NCAC 3H .2308 - Domiciliary Home Personnel Requirements No Response from Agency Rule Returned to Agency Agency Filed Rule for Codification Over RRC Objection	RRC Objection Obj. Cont'd	07/13/95 09/21/95 10/18/95 <b>Eff. 01/01/96</b>
10 NCAC 3H .2401 - Maintenance of Medical Records No Response from Agency Rule Returned to Agency Agency Filed Rule for Codification Over RRC Objection	RRC Objection Obj. Cont'd	07/13/95 09/21/95 10/18/95 <b>Eff. 01/01/96</b>
10 NCAC 3H .2501 - Availability of Physician's Services No Response from Agency	RRC Objection Obj. Cont'd	07/13/95 09/21/95 10/18/95 <b>Eff. 01/01/96</b>

## RRC OBJECTIONS

---

<i>Rule Returned to Agency</i>		10/18/95
<i>Agency Filed Rule for Codification Over RRC Objection</i>	<i>Eff.</i>	01/01/96
<i>10 NCAC 3H .2505 - Brain Injury Long-Term Care Physician Services</i>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Returned to Agency</i>		10/18/95
<i>Agency Filed Rule for Codification Over RRC Objection</i>	<i>Eff.</i>	01/01/96
<i>10 NCAC 3H .2506 - Physician Services for Ventilator Dependent Patients</i>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Returned to Agency</i>		10/18/95
<i>Agency Filed Rule for Codification Over RRC Objection</i>	<i>Eff.</i>	01/01/96
<i>10 NCAC 3H .2601 - Availability of Pharmaceutical Services</i>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Agency Revised Rule</i>	<i>Obj. Cont'd</i>	10/18/95
<i>Agency Filed Rule for Codification Over RRC Objection</i>	<i>Eff.</i>	01/01/96
<i>10 NCAC 3H .2604 - Drug Procurement</i>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	10/18/95
<i>10 NCAC 3H .2605 - Drug Storage and Disposition</i>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Returned to Agency</i>		10/18/95
<i>Agency Filed Rule for Codification Over RRC Objection</i>	<i>Eff.</i>	01/01/96
<i>10 NCAC 3H .2606 - Pharmaceutical Records</i>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Returned to Agency</i>		10/18/95
<i>Agency Filed Rule for Codification Over RRC Objection</i>	<i>Eff.</i>	01/01/96
<i>10 NCAC 3H .2607 - Emergency Drugs</i>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Returned to Agency</i>		10/18/95
<i>Agency Filed Rule for Codification Over RRC Objection</i>	<i>Eff.</i>	01/01/96
<i>10 NCAC 3H .2701 - Provision of Nutrition and Dietetic Services</i>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Agency Revised Rule</i>	<i>Obj. Cont'd</i>	10/18/95
<i>Agency Filed Rule for Codification Over RRC Objection</i>	<i>Eff.</i>	01/01/96
<i>10 NCAC 3H .2801 - Activity Services</i>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Returned to Agency</i>		10/18/95
<i>Agency Filed Rule for Codification Over RRC Objection</i>	<i>Eff.</i>	01/01/96
<i>10 NCAC 3H .2802 - Social Services</i>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Returned to Agency</i>		10/18/95
<i>Agency Filed Rule for Codification Over RRC Objection</i>	<i>Eff.</i>	01/01/96
<i>10 NCAC 3H .3002 - Quality of Specialized Rehabilitation Services</i>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Returned to Agency</i>		10/18/95
<i>Agency Filed Rule for Codification Over RRC Objection</i>	<i>Eff.</i>	01/01/96
<i>10 NCAC 3H .3003 - Ventilator Dependence</i>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Rule Returned to Agency</i>		10/18/95
<i>Agency Filed Rule for Codification Over RRC Objection</i>	<i>Eff.</i>	01/01/96
<i>10 NCAC 3H .3004 - Brain Injury Long-Term Care</i>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Agency Revised Rule</i>	<i>Obj. Cont'd</i>	10/18/95
<i>Agency Filed Rule for Codification Over RRC Objection</i>	<i>Eff.</i>	01/01/96
<i>10 NCAC 3H .3005 - Special Nursing Req. for Brain Injury Long-Term Care</i>	<i>RRC Objection</i>	07/13/95
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>Agency Revised Rule</i>	<i>Obj. Cont'd</i>	10/18/95
<i>Agency Filed Rule for Codification Over RRC Objection</i>	<i>Eff.</i>	01/01/96

## RRC OBJECTIONS

---

10 NCAC 3H .3011 - HIV Designated Unit Policies and Procedures No Response from Agency Rule Returned to Agency Agency Filed Rule for Codification Over RRC Objection	RRC Objection Obj. Cont'd	07/13/95 09/21/95 10/18/95 <b>Eff. 01/01/96</b>
10 NCAC 3H .3012 - Physician Services in an HIV Designated Unit No Response from Agency Rule Returned to Agency Agency Filed Rule for Codification Over RRC Objection	RRC Objection Obj. Cont'd	07/13/95 09/21/95 10/18/95 <b>Eff. 01/01/96</b>
10 NCAC 3H .3013 - Special Nursing Requirements for an HIV Designated Unit No Response from Agency Rule Returned to Agency Agency Filed Rule for Codification Over RRC Objection	RRC Objection Obj. Cont'd	07/13/95 09/21/95 10/18/95 <b>Eff. 01/01/96</b>
10 NCAC 3H .3015 - Use of Investigational Drugs for HIV Designated Units No Response from Agency Rule Returned to Agency Agency Filed Rule for Codification Over RRC Objection	RRC Objection Obj. Cont'd	07/13/95 09/21/95 10/18/95 <b>Eff. 01/01/96</b>
10 NCAC 3H .3016 - Additional Social Work Req. for HIV Designated Units No Response from Agency Rule Returned to Agency Agency Filed Rule for Codification Over RRC Objection	RRC Objection Obj. Cont'd	07/13/95 09/21/95 10/18/95 <b>Eff. 01/01/96</b>
10 NCAC 3H .3021- Physician Req. for Inpatient Rehab. Facilities or Units No Response from Agency Rule Returned to Agency Agency Filed Rule for Codification Over RRC Objection	RRC Objection Obj. Cont'd	07/13/95 09/21/95 10/18/95 <b>Eff. 01/01/96</b>
10 NCAC 3H .3027 - Comprehensive Inpatient Rehab. Program Staffing Req. No Response from Agency Rule Returned to Agency Agency Filed Rule for Codification Over RRC Objection	RRC Objection Obj. Cont'd	07/13/95 09/21/95 10/18/95 <b>Eff. 01/01/96</b>
10 NCAC 3H .3031 - Additional Req. for Spinal Cord Injury Patients No Response from Agency Rule Returned to Agency Agency Filed Rule for Codification Over RRC Objection	RRC Objection Obj. Cont'd	07/13/95 09/21/95 10/18/95 <b>Eff. 01/01/96</b>
10 NCAC 3H .3103 - Site No Response from Agency Agency Revised Rule	RRC Objection Obj. Cont'd Obj. Removed	07/13/95 09/21/95 10/18/95
10 NCAC 3H .3201 - Required Spaces No Response from Agency Agency Revised Rule	RRC Objection Obj. Cont'd Obj. Removed	07/13/95 09/21/95 10/18/95
10 NCAC 3H .3401 - Heating and Air Conditioning No Response from Agency Agency Revised Rule	RRC Objection Obj. Cont'd Obj. Removed	07/13/95 09/21/95 10/18/95
10 NCAC 3H .3404 - Other No Response from Agency Agency Revised Rule	RRC Objection Obj. Cont'd Obj. Removed	07/13/95 09/21/95 10/18/95

RRC has Objected on 07/13/95 to the Following Repeals in 10 NCAC 3C and 10 NCAC 3H:

10 NCAC 3C .0101 - .0102, .0104 - .0110, .0201 - .0203, .0301 - .0307, .0401 - .0407, .0501 - .0505, .0601 - .0604, .0701 - .0708, .0801 - .0805, .0807, .0901 - .0917, .1001 - .1006, .1101 - .1102, .1201 - .1204, .1301 - .1303, .1401 - .1405, .1501 - .1508, .1510, .1601 - .1606, .1701 - .1717, .1801 - .1805, .2101 - .2105. No Response from Agency	Obj. Cont'd Obj. Removed	09/21/95 10/18/95
10 NCAC 3C .1901 - .1912, .1915 - .1932, .2001 - .2008, .2020 - .2033 No Response from Agency Rules Returned to Agency	RRC Objection Obj. Cont'd	07/13/95 09/21/95 10/18/95
10 NCAC 3H .0108 - .0109, .0206 - .0220, .0306 - .0318, .0407 - .0409, .0505 - .0507, .0510 - .0517, .0605 - .0609, .0705 - .0712, .0810 - .0812, .0903 - .0911, .1003 - .1008, .1105 - .1109, .1130 - .1136, .1150 - .1163, .1204 - .1208, .1210, .1306 - .1308, .1405 - .1406, .1408 - .1410, .1501 - .1503, .1612 - .1613, .1703 - .1704, .1804 - .1807.		

## RRC OBJECTIONS

---

<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	09/21/95
<i>10 NCAC 3L .0901 - Definitions</i>	<i>Obj. Removed</i>	10/18/95
<i>Rule Returned to Agency</i>	<i>RRC Objection</i>	11/16/95
<i>10 NCAC 3L .1004 - Evaluation</i>	<i>Obj. Cont'd</i>	12/21/95
<i>Rule Returned to Agency</i>	<i>RRC Objection</i>	11/16/95
<i>10 NCAC 3L .1102 - Nursing Services and Duties</i>	<i>Obj. Cont'd</i>	12/21/95
<i>Rule Returned to Agency</i>	<i>RRC Objection</i>	11/16/95
<i>10 NCAC 3L .1103 - Physical Therapy Services</i>	<i>Obj. Cont'd</i>	12/21/95
<i>Rule Returned to Agency</i>	<i>RRC Objection</i>	11/16/95
<i>10 NCAC 3L .1105 - Occupational Therapy Services</i>	<i>Obj. Cont'd</i>	12/21/95
<i>Rule Returned to Agency</i>	<i>RRC Objection</i>	11/16/95
<i>10 NCAC 3L .1106 - Medical Social Work Services</i>	<i>Obj. Cont'd</i>	12/21/95
<i>Rule Returned to Agency</i>	<i>RRC Objection</i>	11/16/95
<i>10 NCAC 3L .1108 - Infusion Nursing Services</i>	<i>Obj. Cont'd</i>	12/21/95
<i>Rule Returned to Agency</i>	<i>RRC Objection</i>	11/16/95
<i>10 NCAC 3L .1109 - Clinical Respiratory Svcs, Including Pulmonary, or Ventilation Svcs</i>	<i>Obj. Cont'd</i>	12/21/95
<i>Rule Returned to Agency</i>	<i>RRC Objection</i>	11/16/95
<i>10 NCAC 3L .1110 - Supvn/Competency/In-Home Aides/Other In-Home Care Providers</i>	<i>Obj. Cont'd</i>	12/21/95
<i>Rule Returned to Agency</i>	<i>RRC Objection</i>	11/16/95
<i>10 NCAC 3L .1202 - Case Review and Plan of Care</i>	<i>Obj. Cont'd</i>	12/21/95
<i>Rule Returned to Agency</i>	<i>RRC Objection</i>	11/16/95
<i>10 NCAC 3L .1402 - Content of Record</i>	<i>RRC Objection</i>	11/16/95

### Medical Assistance

<i>10 NCAC 261 .0101 - Purpose and Scope</i>	<i>RRC Objection</i>	10/18/95
<i>Rule Returned to Agency</i>	<i>Obj. Cont'd</i>	11/16/95
<i>10 NCAC 261 .0102 - Requests for Formal and Informal Appeals</i>	<i>RRC Objection</i>	10/18/95
<i>Rule Returned to Agency</i>	<i>Obj. Cont'd</i>	11/16/95
<i>10 NCAC 261 .0103 - Time Limits on Requests for Recipient/Applicant Informal Appeals</i>	<i>RRC Objection</i>	10/18/95
<i>Rule Returned to Agency</i>	<i>Obj. Cont'd</i>	11/16/95
<i>10 NCAC 261 .0106 - Payment Pending Appeals</i>	<i>RRC Objection</i>	10/18/95
<i>Rule Returned to Agency</i>	<i>Obj. Cont'd</i>	11/16/95
<i>10 NCAC 261 .0107 - Dismissal of Appeal</i>	<i>RRC Objection</i>	10/18/95
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	10/18/95

### JUSTICE

#### N.C. Sheriffs' Education and Training Standards Commission

<i>12 NCAC 10B .0102 - Purpose</i>	<i>RRC Objection</i>	11/16/95
<i>Agency Repealed Rule</i>	<i>Obj. Removed</i>	11/16/95
<i>12 NCAC 10B .0503 - Time Req/Completion/Basic Law Enforcement Training Course</i>	<i>RRC Objection</i>	11/16/95
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	11/16/95
<i>12 NCAC 10B .0602 - Time Req/Completion//Jailer Cert Training Course</i>	<i>RRC Objection</i>	11/16/95
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	11/16/95
<i>12 NCAC 10B .0605 - Completion of Jailer Certification Course</i>	<i>RRC Objection</i>	11/16/95
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	11/16/95
<i>12 NCAC 10B .0704 - Responsibilities: School Directors</i>	<i>RRC Objection</i>	11/16/95
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	11/16/95

### LICENSING BOARDS AND COMMISSIONS

#### Acupuncture Licensing Board

<i>21 NCAC 1 .0501 - Qualifications for Establishing a School for Acupuncture in N.C.</i>	<i>RRC Objection</i>	11/16/95
---	----------------------	----------

## RRC OBJECTIONS

<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>11/16/95</i>
<b>Board of Architecture</b>		
<i>21 NCAC 2 .0302 - Written Examination</i> <i>Agency Revised Rule</i>	<i>RRC Objection</i> <i>Obj. Removed</i>	<i>11/16/95</i> <i>11/16/95</i>
<b>Board of Dietetics/Nutrition</b>		
<i>21 NCAC 17 .0201 - Definitions</i>	<i>RRC Objection</i>	<i>12/21/95</i>
<b>Board of Medical Examiners</b>		
<i>21 NCAC 32M .0006 - Prescribing Privileges</i> <i>Agency Revised Rule</i>	<i>RRC Objection</i> <i>Obj. Removed</i>	<i>11/16/95</i> <i>11/16/95</i>
<i>21 NCAC 32N .0002 - Continuances</i> <i>Agency Responded - Agency Will Not Revise Rule</i>	<i>RRC Objection</i> <i>Obj. Cont'd</i>	<i>08/10/95</i> <i>09/21/95</i>
<b>Board of Nursing</b>		
<i>21 NCAC 36 .0109 - Selection and Qualifications of Nurse Members</i> <i>Agency Revised Rule</i>	<i>RRC Objection</i> <i>Obj. Removed</i>	<i>12/21/95</i> <i>12/21/95</i>
<i>21 NCAC 36 .0211 - Examination</i> <i>Agency Revised Rule</i>	<i>RRC Objection</i> <i>Obj. Removed</i>	<i>12/21/95</i> <i>12/21/95</i>
<i>21 NCAC 36 .0217 - Revocation, Suspension, or Denial of License</i> <i>Agency Revised Rule</i>	<i>RRC Objection</i> <i>Obj. Removed</i>	<i>12/21/95</i> <i>12/21/95</i>
<i>21 NCAC 36 .0218 - Licensure Without Examination (By Endorsement)</i> <i>Agency Revised Rule</i>	<i>RRC Objection</i> <i>Obj. Removed</i>	<i>12/21/95</i> <i>12/21/95</i>
<i>21 NCAC 36 .0225 - Components of Nursing Practice for the Licensed Practical Nurse</i> <i>Agency Revised Rule</i>	<i>RRC Objection</i> <i>Obj. Removed</i>	<i>12/21/95</i> <i>12/21/95</i>
<i>21 NCAC 36 .0227 - Approval and Practice Parameters for Nurse Practitioners</i> <i>Agency Revised Rule</i>	<i>RRC Objection</i> <i>Obj. Removed</i>	<i>12/21/95</i> <i>12/21/95</i>
<i>21 NCAC 36 .0403 - Qualifications</i> <i>Agency Revised Rule</i>	<i>RRC Objection</i> <i>Obj. Removed</i>	<i>11/16/95</i> <i>11/16/95</i>
<i>21 NCAC 36 .0404 - Registration</i> <i>Agency Revised Rule</i>	<i>RRC Objection</i> <i>Obj. Removed</i>	<i>11/16/95</i> <i>11/16/95</i>
<i>21 NCAC 36 .0405 - Approval of Nurse Aide Education Programs</i> <i>Agency Revised Rule</i>	<i>RRC Objection</i> <i>Obj. Removed</i>	<i>11/16/95</i> <i>11/16/95</i>
<b>Board of Practicing Psychologists</b>		
<i>21 NCAC 54 .2704 - HSP-P Requirements On and After June 30, 1994</i> <i>Agency Filed Rule for Codification Over RRC Objection</i> <i>The Commission Removed Its Previous Objection</i>	<i>RRC Objection</i> <i>Eff. Obj. Removed</i>	<i>05/18/95</i> <i>06/21/95</i>
<i>21 NCAC 54 .2705 - HSP-PP Requirements</i> <i>Agency Filed Rule for Codification Over RRC Objection</i> <i>The Commission Removed Its Previous Objection</i>	<i>RRC Objection</i> <i>Eff. Obj. Removed</i>	<i>05/18/95</i> <i>06/21/95</i>
<i>21 NCAC 54 .2706 - HSP-PA Requirements On and After June 30, 1994</i> <i>Agency Filed Rule for Codification Over RRC Objection</i> <i>The Commission Removed Its Previous Objection</i>	<i>RRC Objection</i> <i>Eff. Obj. Removed</i>	<i>05/18/95</i> <i>06/21/95</i>
<b>PUBLIC EDUCATION</b>		
<b>Elementary and Secondary Education</b>		
<i>16 NCAC 6D .0106 - Limited English Proficiency Programs</i> <i>Rule Withdrawn by Agency</i>		<i>10/18/95</i>

**SECRETARY OF STATE**

**Securities Division**

18 NCAC 6 .1209 - Nonprofit Securities Agency Revised Rule Rule Returned to Agency	RRC Objection Obj. Cont'd	08/10/95 08/10/95 09/21/95
18 NCAC 6 .1314 - Escrow Agreements Rule Returned to Agency	RRC Objection	08/10/95 09/21/95
18 NCAC 6 .1401 - Application for Registration of Dealers Agency Revised Rule Rule Returned to Agency	RRC Objection Obj. Cont'd	08/10/95 08/10/95 09/21/95
18 NCAC 6 .1702 - Application for Investment Adviser Registration Agency Revised Rule Rule Returned to Agency	RRC Objection Obj. Cont'd	08/10/95 08/10/95 09/21/95

**STATE PERSONNEL**

**Office of State Personnel**

25 NCAC 1J .0505 - Leave to Prepare Grievance Agency Revised Rule	RRC Objection Obj. Removed	11/16/95 11/16/95
25 NCAC 1J .0509 - Agency Grievance Reports Agency Revised Rule	RRC Objection Obj. Removed	11/16/95 11/16/95
25 NCAC 1J .0802 - Awards Committee Agency Revised Rule	RRC Objection Obj. Removed	11/16/95 11/16/95
25 NCAC 1K .0318 - Tax Status Agency Revised Rule	RRC Objection Obj. Removed	11/16/95 11/16/95
25 NCAC 1K .0705 - Program Participation Agency Revised Rule	RRC Objection Obj. Removed	11/16/95 11/16/95
25 NCAC 1L .0104 - Program Implementation: Department and University Level Agency Revised Rule	RRC Objection Obj. Removed	11/16/95 11/16/95
25 NCAC 1L .0106 - Compliance Information Agency Repealed Rule	RRC Objection Obj. Removed	11/16/95 11/16/95

**T**his Section contains the full text of some of the more significant Administrative Law Judge decisions along with an index to all recent contested cases decisions which are filed under North Carolina's Administrative Procedure Act. Copies of the decisions listed in the index and not published are available upon request for a minimal charge by contacting the Office of Administrative Hearings, (919) 733-2698.

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
---------------	--------------------	------------	-------------------------	---

**ADMINISTRATION***Division of Purchase and Contract*

Senter-Sanders Tractor Corp. v. Admin., Div of Purchase & Contract	94 DOA 0803	Nesnow	03/06/95
CMC Maintenance Co., a Div. of RDS Corp. v. Dept. of Administration, Div. of Purchase & Contract, et al.	95 DOA 0194	Phipps	06/13/95

*State Construction Office*

W. M. Piatt & Company v. State Construction Office, DOA	94 DOA 0738	Nesnow	04/11/95	10:03 NCR 221
Holland Group, Inc. v. Dept. of Administration, St. Construction Office	94 DOA 1565	Nesnow	06/01/95	10:07 NCR 619

**ALCOHOLIC BEVERAGE CONTROL COMMISSION**

Ali Alsaras v. Alcoholic Beverage Control Commission	94 ABC 0526	Chess	05/16/95	
Norman D. Forbes v. Alcoholic Beverage Control Commission	94 ABC 0787	Gray	03/17/95	
Ben Sproul and Steve Pauls v. Alcoholic Beverage Control Comm.	94 ABC 1046	Chess	08/17/95	
Albert Stanley Tomanec v. Alcoholic Beverage Control Commission	94 ABC 1168	Becton	03/07/95	
Robert Johnson v. Alcoholic Beverage Control Commission	94 ABC 1661	West	05/01/95	
Stinking Mercury, Inc. v. Alcoholic Beverage Control Commission	94 ABC 1682	Chess	05/03/95	
Alcoholic Beverage Control Comm. v. Depot Stop N Go, Inc.	94 ABC 1694	Mann	03/29/95	
John H. Robinson v. Alcoholic Beverage Control Commission	94 ABC 1727	Morrison	05/18/95	
Clara and Carson Young v. Alcoholic Beverage Control Commission	94 ABC 1729	Chess	05/11/95	
Vladimir Walter Kozlik Jr. v. Alcoholic Beverage Control Commission	94 ABC 1754* <sup>12</sup>	Mann	08/02/95	10:11 NCR 960
Bryan Lynn Whitaker, Susan Ansley Whitaker v. ABC Commission	94 ABC 1784	Mann	04/19/95	
Diamond Club, Inc. v. Alcoholic Beverage Control Commission	94 ABC 1803	Mann	04/07/95	
Alcoholic Beverage Control Commission v. Weisner, Inc.	95 ABC 0068	West	06/07/95	
Robert Louis Reess v. Alcoholic Beverage Control Commission	95 ABC 0074	Chess	05/25/95	
Alcoholic Beverage Control Comm v. Thomas Henry Dodson	95 ABC 0095	Phipps	12/01/95	
Ray E. Bailey v. Alcoholic Beverage Control Commission	95 ABC 0210	Gray	05/01/95	
Legwin Z. Williams v. Alcoholic Beverage Control Commission	95 ABC 0224	Nesnow	05/31/95	10:06 NCR 417
Taleb Abed Rahman v. Alcoholic Beverage Control Commission	95 ABC 0323	Phipps	08/02/95	
Sherrill Douglas Langston v. Alcoholic Beverage Control Commission	95 ABC 0415	Nesnow	08/01/95	10:10 NCR 868
Alcoholic Beverage Control Comm. v. Janice Mac Miles	95 ABC 0434	West	07/20/95	
Imran Ali Hameerah v. Alcoholic Beverage Control Commission and	95 ABC 0477	Phipps	07/14/95	

*City of Raleigh*

Ali Mohamed Ahmed v. Alcoholic Beverage Control Commission	95 ABC 0487	Gray	10/03/95	
Alcoholic Beverage Control Commission v. Vladimir Walter Kozlik Jr.	95 ABC 0518* <sup>12</sup>	Mann	08/02/95	10:11 NCR 960
Mychal R. Hill v. Alcoholic Beverage Control Commission	95 ABC 0617	Morrison	09/08/95	
Alcoholic Beverage Control Comm. v. Goldstar Food, Inc.	95 ABC 0678	Gray	10/30/95	
Collie Hawkins v. Alcoholic Beverage Control Commission	95 ABC 0696	Gray	10/06/95	
Alcoholic Bev Cont Comm. v. Partnership, T/A Royal Knights Soc Club	95 ABC 0711	Phipps	09/14/95	
Alcoholic Beverage Control Comm. v. Lebby Rhew Allen	95 ABC 0712	Gray	10/04/95	
Alcoholic Beverage Control Comm. v. Nancy Wheeler Wolfe	95 ABC 0713	Phipps	09/14/95	
Mustafa Yacoub Salameh v. Alcoholic Beverage Control Commission	95 ABC 0763	Gray	12/01/95	
John Edsel Rhodes v. Alcoholic Beverage Control Commission	95 ABC 0792	Nesnow	10/25/95	
Sadiq Deeb Ali, Patricia Billings v. Alcoholic Beverage Control Comm.	95 ABC 0830	Becton	11/29/95	
Samih Atieh Hadi v. Alcoholic Beverage Control Commission	95 ABC 0867	Gray	12/14/95	
Sticks and Stones Billiards & Cafe v. Alcoholic Beverage Control Comm.	95 ABC 0888	Chess	12/14/95	
Alcoholic Beverage Control Comm. v. The Playground, Inc.	95 ABC 0935	Phipps	12/19/95	
Alcoholic Beverage Control Comm. v. Judy Fields Salamone	95 ABC 0990	Morrison	12/29/05	
Alcoholic Beverage Control Comm. v. Ronald Shankle Hardman	95 ABC 1020	Reilly	12/19/95	
Nathaniel Stubbs v. Alcoholic Beverage Control Commission	95 ABC 1094	Gray	12/20/95	

**CONTESTED CASE DECISIONS**

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
<b>BOARD OF CHIROPRACTIC EXAMINERS</b>				
Robert J. Manna, D.C. v. Board of Chiropractic Examiners	95 BOC 1105	West	10/20/95	
<b>CRIME CONTROL AND PUBLIC SAFETY</b>				
Patrick O. Hawkins v. Office of Administrative Hearings	95 CPS 0361	Phipps	08/01/95	
<i>Crime Victims Compensation Commission</i>				
John Pavlikianidis v. Victims Compensation Commission	94 CPS 0237	Morrison	03/21/95	10:02 NCR 176
Fay, Cynthia, S. Dalton v. Crime Victims Compensation Commission	94 CPS 0445* <sup>4</sup>	West	05/30/95	
Phyllis H. Steinmetz v. Crime Victims Compensation Commission	94 CPS 0542	West	05/16/95	
Hubert Johnson, Edna J. Carter v. Crime Victims Compensation Comm.	94 CPS 1177	Mann	06/12/95	
Wayne L. Utley v. Crime Victims Compensation Commission	94 CPS 1180	Becton	03/07/95	
Sandra H. Hughes v. Victims Compensation Commission	94 CPS 1600	Morrison	06/09/95	
Kristine S. Ray v. Crime Victims Compensation Commission	94 CPS 1673	Chess	04/20/95	
Shirley Moody Myers v. Crime Victims Compensation Commission	94 CPS 1674	Chess	04/20/95	
Thomasine Inman v. Crime Victims Compensation Commission	94 CPS 1731	Nesnow	03/09/95	
Irmgard Gordoa v. Crime Victims Compensation Commission	94 CPS 1782	Gray	03/09/95	
Fay, Cynthia, S. Dalton v. Crime Victims Compensation Commission	95 CPS 0010* <sup>4</sup>	West	05/30/95	
Ellen Sherwin v. Crime Vic Comp James Byrum Emp/ Baptist Hosp	95 CPS 0012	West	03/22/95	
Anthony Harold Stone v. Crime Victims Compensation Commission	95 CPS 0115	Chess	08/22/95	
Howard B. Peterson v. Crime Victims Compensation Commission	95 CPS 0163	Reilly	07/06/95	
Ella Ruth Jordan v. Gary B. Eichelberger Dir., Crime Vic. Comp. Comm.	95 CPS 0181	West	06/21/95	
Lynn H. Henderson v. CPS, Victims Compensation Commission	95 CPS 0212	Morrison	05/08/95	
Larusha Bey v. Crime Victims Compensation Commission	95 CPS 0245	Reilly	06/02/95	
Percible Gaston v. Crime Victims Compensation Commission	95 CPS 0270	Gray	06/13/95	
Horton Edward v. Crime Victims Compensation Commission	95 CPS 0331	Phipps	07/25/95	
David Leo Rice v. CPS, Crime Victims Compensation Commission	95 CPS 0335	Morrison	09/15/95	
Janet Ring Stevens v. Crime Victims Compensation Commission	95 CPS 0337	Gray	07/21/95	
Michael A. Herd v. Crime Victims Compensation Commission	95 CPS 0349	Chess	08/15/95	
Juan Aguilar v. Crime Victims Compensation Commission	95 CPS 0356	Reilly	06/22/95	
Albert Lionell Meadows v. Crime Victims Compensation Commission	95 CPS 0373	Gray	09/27/95	
John Kuwalik v. Crime Victims Compensation Commission	95 CPS 0381	Becton	07/10/95	
Sandra Jones v. Crime Victims Compensation Commission	95 CPS 0427	Nesnow	06/02/95	
Edsel Batts Jr. v. CPS, Crime Victims Compensation Commission	95 CPS 0456	Phipps	09/29/95	
James T. Todd v. Crime Victims Compensation Commission	95 CPS 0459	Nesnow	09/26/95	10:15 NCR 1624
Mark Edward Altman v. CPS, Crime Victims Compensation Commission	95 CPS 0461	West	07/25/95	
Fred McMillan v. Victims Compensation Commission	95 CPS 0481	Phipps	10/12/95	
Brandi Faith Blalock, Dorothy Smith Blalock v. Crime Vic Comp Comm.	95 CPS 0540	Phipps	10/10/95	10:15 NCR 1628
Roland Lee Kelly, Jr. v. United Family Svcs, Vic Assis/Crime Vic. Comp	95 CPS 0568	Phipps	08/09/95	
Diane B. Commander v. Crime Victims Compensation Commission	95 CPS 0591	Nesnow	10/19/95	
Danny Ray Bell v. Crime Victims Compensation Commission	95 CPS 0737	Reilly	09/11/95	
Margie Lunsford v. Crime Victims Compensation Commission	95 CPS 0779	Becton	09/19/95	
Donald Ray Williams v. Crime Victims Compensation Commission	95 CPS 0788	Nesnow	11/17/95	
Jill M. LaSanta v. Crime Victims Compensation Commission	95 CPS 1029	Reilly	10/25/95	
Melia Ann Adkins Stopa v. Crime Victims Compensation Commission	95 CPS 1185	Nesnow	12/05/95	
<b>BOARD OF ELECTROLYSIS EXAMINERS</b>				
Diane Rawls v. Board of Electrolysis Examiners	95 BEE 0173	West	08/03/95	
Kimberly P. Costner v. Board of Electrolysis Examiners	95 BEE 0893	West	01/03/96	
Anna G. Gahren v. Board of Electrolysis Examiners	95 BEE 0894	West	12/22/95	
<b>ENVIRONMENT, HEALTH, AND NATURAL RESOURCES</b>				
James J. Collins, Admin. for James Joseph Collins, ME-91-1173, Deceased v. Environment, Health, & Natural Resources	92 EHR 0300	Nesnow	12/15/95	10:19 NCR 2539
Concrete Supply Company v. Environment, Health, & Natural Resources	94 EHR 0950	Gray	05/23/95	10:06 NCR 414
Setzer Bros. Inc. v. Environment, Health, and Natural Resources	94 EHR 1676	Nesnow	03/09/95	
Environment, Health, & Natural Resources v. Royal James Cafe	94 EHR 1756	Becton	06/30/95	10:08 NCR 696
John W. VanHoy, Jr. & Adjacent Land Owners v. EHNR and Shugart Enterprises, Inc.	95 EHR 0016	Phipps	11/03/95	10:17 NCR 2279
Richard A. Jenkins v. NC Water Pollution Control Sys. Op. Cert. Comm.	95 EHR 0311* <sup>16</sup>	Gray	12/19/95	10:20 NCR 2651

**CONTESTED CASE DECISIONS**

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Richard A. Jenkins v. NC Water Pollution Control Sys. Op. Cert. Comm.	95 EHR 0437* <sup>16</sup>	Gray	12/19/95	10:20 NCR 2651
Browning-Ferris Ind. of S. Atlantic, Inc. and Sampson Cty. Disposal, Inc.	95 EHR 0506	West	06/13/95	
v. Dept. of Environment, Health, and Natural Resources, and				
Hoke County and Bladen County				
Bruce Wike v. Environment, Health, & Natural Resources	95 EHR 0560	West	11/15/95	
<i>Carteret County Health Department</i>				
Elmer & Pandora Edwards v. Carteret County Health Department	95 EHR 0075	Nesnow	10/24/95	
<i>Chatham County Department of health</i>				
Persimmon Hill Homeowners Assoc v. EHNR, Chatham Cty Dept Health	95 EHR 1064	Morrison	12/29/95	
<i>Coastal Resources</i>				
William C Young v. Coastal Resources Commission and	95 EHR 0009	Chess	06/13/95	
Robert L. Casper, Jr. and Mary M. Casper				
Howard C. Slack v. Coastal Resources Comm, EHNR	95 EHR 0140	Phipps	03/22/95	10:02 NCR 185
<i>Davidson County Health Department</i>				
John Dee Clodfelter v. Davidson County Health Dept.; EHNR	94 EHR 1037	Chesa	03/13/95	
<i>Environmental Health</i>				
EEE-ZZZ Lay Drain Compnay, Inc. v. On-Site Wastewater Section, Division of Environmental Health	94 EHR 0745	Chess	04/24/95	
Jerry C. Owens v. District Health Department, EHNR	95 EHR 0649	Reilly	12/08/95	
Kenith & Shirley L. Barrett v. Montgomery Cty Hlth Dept, Env. Health	95 EHR 0736	Gray	12/13/95	
<i>Environmental Management</i>				
United Screen Printers, Inc. v. EHNR, Div. of Environmental Mgmt.	91 EHR 1179* <sup>3</sup>	West	05/30/95	
Empire Power Co. and George Clark v. EHNR, Div. of Env. Mgmt. and	92 EHR 0021* <sup>1</sup>	Gray	04/03/95	
Duke Power Company				
Empire Power Co. and George Clark v. EHNR, Div. of Env. Mgmt. and	92 EHR 0053* <sup>1</sup>	Gray	04/03/95	
Duke Power Company				
United Screen Printers, Inc. v. EHNR, Div. of Environmental Mgmt.	93 EHR 0273* <sup>3</sup>	West	05/30/95	
Kenan Oil Company, Inc. v. EHNR, Div. of Environmental Mgmt.	94 EHR 0894	Nesnow	05/08/95	
Moffitt and Pierce Construction, Inc. v. EHNR, Environmental Mgmt.	94 EHR 1755	West	06/06/95	
Rodney Brent Becker, et al. v. Div. of Environmental Mgmt, EHNR and	95 EHR 0390	Chess	11/20/95	
Federal Paper Board Company, Inc.				
Burke Oil Company v. EHNR, Division of Environmental Management	95 EHR 0616	West	12/13/95	
Minnie Kelly Hunt; William Hunt; Sunset Beach Taxpayers Assoc. & NC Coastal Federation v. Environment, Health, and Natural Resources and	95 EHR 0828	West	12/14/95	
South Brunswick Water & Sewer Auth.; Brunswick County; Town of Calabash; and Town of Sunset Beach				
<i>Division of Epidemiology</i>				
Mark Bryant Stocksdale & Wife, Cathie v. EHNR, Div. of Epidemiology	95 EHR 0059	Reilly	10/30/95	

\* Consolidated cases.

**CONTESTED CASE DECISIONS**

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
<b>Hyde County Health Department</b>				
Fritzner Henry v. Hyde County Health Department	94 EHR 0924	Gray	03/09/95	
<b>Macon County Health Department</b>				
Four Residents on Genva Circle v. Macon County Health Department	94 EHR 1202	Nesnow	03/27/95	
<b>Marine Fisheries</b>				
Chancy Junior Sawyer v. EHNR, Division of Marine Fisheries	94 EHR 1786	Chess	05/22/95	
<b>Maternal and Child Health</b>				
Jimmy Franklin v. EHNR Maternal & Child Hlth, Nutrition Services	94 EHR 0288	Gray	05/22/95	
Middleburg Variety v. EHNR, Maternal & Child Health, Nutrition Svcs.	94 EHR 1601	Chess	05/01/95	
Taisser Shehadeh v. EHNR, Maternal & Child Health, Nutrition Svcs.	94 EHR 1711	Chess	05/02/95	
Philip Haskins v. EHNR, Div. of Maternal & Child Health	94 EHR 1777	Chess	03/09/95	
Food City, Inc. v. Dept of Environment, Health, & Natural Resources	95 EHR 0372	Reilly	08/10/95	
Cameron Brian White v. EHNR, Maternal & Child Health, Nutrition Svcs.	95 EHR 0687	Nesnow	10/19/95	
Barbara R. Amer d/b/a 311 Grocery Store v. EHNR	95 EHR 0706* <sup>13</sup>	Reilly	10/23/95	
Sameer Mohammed Dari v. EHNR, Maternal & Child Health, Nutn Svcs.	95 EHR 0853	Gray	10/10/95	
Food Mart #14, Cynthia Harris, EHNR, Maternal & Child Hlth, Nutn Svcs	95 EHR 0862	Chess	12/28/95	
Goldston Grocery, Larry Mis v. EHNR, Div. of Maternal & Child Health	95 EHR 0869	Becton	09/13/95	
Barbara R. Amer d/b/a 311 Grocery Store v. EHNR	95 EHR 0874* <sup>13</sup>	Reilly	10/23/95	
Kenneth Callicutt, Seagrove Grocery v. Nutrition Services Section	95 EHR 0878	Chess	12/13/95	
Donnie Blalock v. EHNR, Maternal & Child Health, Nutrition Svca.	95 EHR 0892	Gray	09/14/95	
<b>New Hanover County Health Department</b>				
Gua Kalogiros v. New Hanover Co. (Health Dept.), Adm & Env. Svcs	94 EHR 1073	Morrison	04/28/95	
<b>Pitt County Public Health Center</b>				
Mary Joyner Dudley v. Pitt County Public Health Center & EHNR	94 EHR 1043	Gray	06/27/95	
Tony P. Moore v. EHNR, & Pitt County Public Health Center	95 EHR 0537	Reilly	10/09/95	
<b>Division of Solid Waste Management</b>				
Cherokee Resources Inc. v. EHNR, Div. of Solid Waste Management	92 EHR 1028	Phipps	09/29/95	10:14 NCR 1410
Joyce Hildreth v. EHNR, Division of Solid Waste Management	95 EHR 0851	Morrison	09/13/95	
<b>Wayne County Department of Health</b>				
Habib Abdallah v. Wayne County Department of Health (WIC Program)	95 EHR 0864	Phipps	09/27/95	
<b>EQUAL EMPLOYMENT OPPORTUNITY</b>				
Marsha Dianne McKoy v. DHR, Div. of MH/DD/SAS, Caswell Center	90 EEO 0379	Chess	04/03/95	
<b>HUMAN RESOURCES</b>				
Veronica Spearman, John P. Spearman v. Dept. of Human Resources	95 DHR 0216	Reilly	06/02/95	
Sandra Jean Taylor v. Department of Human Resources	95 DHR 0366	Reilly	07/19/95	
Claudia Toriola v. Department of Human Resources	95 DHR 0507	West	10/18/95	
<b>Division of Child Development</b>				
Iola Malloy v. DHR, Division of Child Development	94 DHR 0849	Mann	03/03/95	
Helen J. Walls, D/B/A Walls Young World v. Dept. of Human Resources	94 DHR 1362	Becton	03/20/95	
Samuel Simmons & Wife, Alphia Mack Simmons v. Human Resources	94 DHR 1617	Gray	09/13/95	10:13 NCR 1205
Willie & Pamela Sturgess v. DHR, Division of Child Development	94 DHR 1631	Reilly	07/10/95	
Esther Elder v. DHR, Division of Child Development	94 DHR 1771	Reilly	03/17/95	
Theresa B. Thomas v. DHR, Division of Child Development	95 DHR 0268	Morrison	07/14/95	
Ellen H. Sams v. DHR, Division of Child Development	95 DHR 0293	Phipps	08/08/95	
Dixie Jenkins v. DHR, Division of Child Dev., Elizabeth Alexander	95 DHR 0315	West	08/25/95	
Hill Street Day Care Center v. DHR, Division of Child Development	95 DHR 0407	Chess	10/13/95	
Chapel Hill Day Care Center, Nancy Taylor v. DHR, Div. of Child Dev.	95 DHR 0450	Phipps	06/02/95	

**CONTESTED CASE DECISIONS**

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Dallas & Friends Daycare Home, Sandra Severt v. DHR, Div. Child Dev.	95 DHR 0633	Chess	12/05/95	
Reccille Beaman v. DHR, Division of Child Development	95 DHR 0999	West	12/20/95	
Lana S. Grant, Little Ranchers Daycare v. DHR, Div. of Child Dev.	95 DHR 1009	Reilly	12/14/95	
Jean Davidson v. DHR, Division of Child Development	95 DHR 1237	West	12/18/95	
<i>Division of Facility Services</i>				
William H. Cooke v. DHR, Division of Facility Services	94 DHR 0565	Gray	03/16/95	
Mildred Reece, Calvin Reece v. DHR, Division of Facility Services Domiciliary & Group Care Section	94 DHR 1783	Gray	03/16/95	
Lisa Marie Shanks v. Department of Human Resources	95 DHR 0121	West	08/03/95	
Brenda I. McAllister v. DHR, Division of Facility Services	95 DHR 0149	West	09/11/95	
Henry Brown, Sr. v. Department of Human Resources	95 DHR 0526	Beeton	10/05/95	
<i>Bingo Licensure Section</i>				
The Regular Veterans Association of the United States and the Sixteen Posts of the Regular Veterans Association of the United States and the Regular Veterans Association Auxiliary Located in the State of North Carolina v. DHR, Division of Facility Services, Bingo Licensure Section	95 DHR 0040	Morrison	04/13/95	
<i>Certificate of Need Section</i>				
The Carrollton of Fayetteville, Inc. and Highland House of Fayetteville, Inc. and Richard Allen, Sr. v. DHR, Division of Facility Services, Certificate of Need Section and	94 DHR 0197*	Reilly	04/05/95	
Pine Manor Rest Home, Inc., d/b/a Pine Manor Health Care				
The Carrollton of Fayetteville, Inc. and Highland House of Fayetteville, Inc. and Richard Allen, Sr. v. DHR, Division of Facility Services, Certificate of Need Section and	94 DHR 0198*	Reilly	04/05/95	
Pine Manor Rest Home, Inc., d/b/a Pine Manor Health Care				
Retirement Villages, Inc. (Lessor), and Liberty Healthcare Ltd. Partnership (Lessee) D/B/A Countryside Villa of Duplin v. DHR, Division of Facility Services, Certificate of Need Section and	94 DHR 0403	Chess	12/14/94	
Beaver Properties/Wallace, Inc., and Brian Center Health & Retirement/Wallace, Inc.				
Gordon G. Koltis, M.D., Carolina Radiation & Cancer Treatment Center, P.A., and Carolina Radiation Medicine, P.A. v. DHR, Div. of Facility Services, Certificate of Need Section, and	94 DHR 1820	Chess	09/25/95	
Pitt County Memorial Hospital, Inc.				
<i>Office of Emergency Medical Services</i>				
Charles M. Erwin v. DHR, Facility Svcs, Off. of Emgcy. Medical Svcs.	92 DHR 1697	Chess	05/16/95	10:06 NCR 409
<i>Medical Facilities Licensure Section</i>				
Shelia Marie Hall v. DHR, Div/Facility Svcs., Med. Facilities Lic. Sec.	95 DHR 0307	Nesnow	08/11/95	
Joe Junior Bailey v. DHR, Div/Facility Svcs., Med. Facilities Lic. Sec.	95 DHR 0322	Beeton	09/13/95	
Linda Faye Taylor v. DHR, Div/Facility Svcs., Med. Facilities Lic. Sec.	95 DHR 0410	Morrison	11/09/95	
Evangeline of King, Inc. v. DHR, Div/Fac Svcs, Med. Facilities Lic. Sec.	95 DHR 0413	Reilly	08/14/95	
Nicole Murphy v. DHR, Div/Facility Svcs, Med. Facilities Lic. Sec.	95 DHR 0863	Beeton	10/20/95	
<i>Division of Medical Assistance</i>				
A.S., by and through her agent and personal representative, Hank Neal v. DHR, Division of Medical Assistance	93 DHR 1736	Reilly	05/22/95	
D.A., by and through his agent and personal representative, Hank Neal v. DHR, Division of Medical Assistance	93 DHR 1737	Reilly	05/22/95	
Stephen K., & Christopher & Katina Komorek v. DHR, Med Assistance	94 DHR 1170	Reilly	10/18/95	

**CONTESTED CASE DECISIONS**

---

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
<b><i>Division of Social Services</i></b>				
Cecilia Y. Wall, William S. Wall v. Department of Human Resources	94 DHR 1627	Morrison	07/06/95	
Deborah Kirby, Leslie Saleby v. Department of Human Resources	94 DHR 1732	West	12/07/95	10:19 NCR 2550
Sandra M. Hawkins v. DHR, Division of Social Services	95 DHR 0448	Nesnow	10/24/95	
Robert A. Byers, Sharon L. Byers v. DHR, Div. of Social Services	95 DHR 0488	Phipps	10/31/95	
<b><i>Child Support Enforcement Section</i></b>				
Daniel J. Carter v. Department of Human Resources	91 CSE 1103	Morrison	03/03/95	
Shawn Dominic Caldwell v. Department of Human Resources	92 CSE 1449	Reilly	03/29/95	
William Zonta Thompson v. Department of Human Resources	92 CSE 1559	Reilly	03/29/95	
Jackie E. Hackney v. Department of Human Resources	93 CSE 1088	Chess	03/20/95	
Lenzo Davis v. Department of Human Resources	93 CSE 1111	Becton	07/12/95	
Frank M. Swett v. Department of Human Resources	93 CSE 1123* <sup>3</sup>	Reilly	05/16/95	
Elbert Quick v. Department of Human Resources	93 CSE 1169	Chess	03/08/95	
Dennis E. Barkley v. Department of Human Resources	93 CSE 1187	Reilly	06/30/95	
Clement McMillan v. Department of Human Resources	93 CSE 1208	Chess	03/08/95	
Herbert James Jackson III v. Department of Human Resources	93 CSE 1209	Mann	08/11/95	
Larry James Walker Jr. v. Department of Human Resources	93 CSE 1255	Morrison	06/12/95	
James R. Gray v. Department of Human Resources	93 CSE 1268	Chess	03/08/95	
Manuel F. Isla v. Department of Human Resources	93 CSE 1270* <sup>10</sup>	Becton	07/28/95	
John D. Bird v. Department of Human Resources	93 CSE 1272	Gray	06/26/95	
Lacy Green, Jr. v. Department of Human Resources	93 CSE 1295	Chess	03/08/95	
Leon McNair v. Department of Human Resources	93 CSE 1317	Becton	04/04/95	
Edwin A. Clarke v. Department of Human Resources	93 CSE 1319	Chess	03/08/95	
Wolfgang R. Walker v. Department of Human Resources	93 CSE 1374	Gray	04/28/95	
Wyatt Roseboro v. Department of Human Resources	93 CSE 1423	Becton	04/25/95	
Lloyd Lane Speake v. Department of Human Resources	93 CSE 1451	Chess	03/22/95	
Raymond E. Dresser v. Department of Human Resources	93 CSE 1459	Reilly	06/23/95	
Terry L. Yoder v. Department of Human Resources	93 CSE 1498	Nesnow	06/02/95	
Ronald E. Lewis v. Department of Human Resources	93 CSE 1508	Mann	05/18/95	
Richard L. Hiot v. Department of Human Resources	93 CSE 1509	Mann	04/21/95	
Cecil Ray Hinshaw v. Department of Human Resources	93 CSE 1513	Gray	05/08/95	
Terry C. Brown v. Department of Human Resources	93 CSE 1516	Morrison	05/08/95	
Paul R. Johnson v. Department of Human Resources	93 CSE 1546	Gray	06/27/95	
Henry C. Banks v. Department of Human Resources	93 CSE 1556	Chess	03/22/95	
Lucille B. Dutter v. Department of Human Resources	93 CSE 1558	Chess	03/13/95	
Charles Bascom Kiker v. Department of Human Resources	93 CSE 1561	Mann	04/21/95	
Mandel Curry Edwards v. Department of Human Resources	93 CSE 1566* <sup>6</sup>	Gray	05/31/95	
Tony M. Tart v. Department of Human Resources	93 CSE 1588	Becton	06/08/95	
Wade E. Hampton v. Department of Human Resources	93 CSE 1593	Chess	04/20/95	
Cedrick Scott v. Department of Human Resources	93 CSE 1651	Chess	07/20/95	
Gary Jay Stocks v. Department of Human Resources	93 CSE 1652	Chess	03/21/95	
Paul E. Strawcutter v. Department of Human Resources	93 CSE 1713	Mann	03/13/95	
John L. Osborne (Jr.) v. Department of Human Resources	94 CSE 0140	Mann	05/30/95	
Richard L. Garver v. Department of Human Resources	94 CSE 0512	Becton	06/12/95	
Jerry Glasper v. Department of Human Resources	94 CSE 1016	Nesnow	07/21/95	
Cary G. Dannely v. Department of Human Resources	94 CSE 1033	Nesnow	03/24/95	
Robert G. Baker v. Department of Human Resources	94 CSE 1094	Chess	03/06/95	
Tyrone Waddell v. Department of Human Resources	94 CSE 1096	Mann	05/30/95	
Robert R. Thomas v. Department of Human Resources	94 CSE 1100	Becton	07/28/95	
Bernard T. Wade v. Department of Human Resources	94 CSE 1101	Becton	04/03/95	
Robert Earl White v. Department of Human Resources	94 CSE 1102	Chess	08/08/95	
Willie Scott v. Department of Human Resources	94 CSE 1109	Chess	06/28/95	
Rochester Levi Jones v. Department of Human Resources	94 CSE 1116	Chess	05/15/95	
Timothy Brian Eller v. Department of Human Resources	94 CSE 1119	Reilly	03/29/95	
Marvin Massey v. Department of Human Resources	94 CSE 1125	Mann	10/09/95	
Morgan Pate, Jr. v. Department of Human Resources	94 CSE 1127	Mann	03/20/95	
Robert E. Dudley, Sr. v. Department of Human Resources	94 CSE 1128	Mann	03/31/95	
Julian Lattimore v. Department of Human Resources	94 CSE 1131	Reilly	03/13/95	
James McFadden v. Department of Human Resources	94 CSE 1132	West	03/14/95	
Wesley B. Meggs v. Department of Human Resources	94 CSE 1137	Gray	08/09/95	
Anthony D. McCain v. Department of Human Resources	94 CSE 1141	Nesnow	05/16/95	
John C. Kay v. Department of Human Resources	94 CSE 1143	Chess	04/13/95	
Raymond B. Clontz Jr. v. Department of Human Resources	94 CSE 1149	Nesnow	03/03/95	
James C. Rogers v. Department of Human Resources	94 CSE 1153	Gray	04/04/95	
Ruby Fewell Henry v. Department of Human Resources	94 CSE 1157	Nesnow	03/16/95	

**CONTESTED CASE DECISIONS**

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Michael Leon McCai v. Department of Human Resources	94 CSE 1158	Becton	05/16/95	
James A. Honer v. Department of Human Resources	94 CSE 1160	Mann	08/03/95	
George C. Flowers v. Department of Human Resources	94 CSE 1184	Mann	05/02/95	
Kendrick William Sims v. Department of Human Resources	94 CSE 1186	Chess	05/01/95	
Carl E. Coffey v. Department of Human Resources	94 CSE 1191	West	05/25/95	
Michael W. Bowen v. Department of Human Resources	94 CSE 1192	Nesnow	07/21/95	
Roderick J. Smith v. Department of Human Resources	94 CSE 1193	Becton	06/26/95	
Richard Dill v. Department of Human Resources	94 CSE 1195	Mann	03/29/95	
James E. Freeman v. Department of Human Resources	94 CSE 1199	West	07/18/95	
Jonathan D. Cauthen v. Department of Human Resources	94 CSE 1213	Chess	06/01/95	
Ronnie J. Goins v. Department of Human Resources	94 CSE 1214	Chess	06/01/95	
Ted C. Jenkins v. Department of Human Resources	94 CSE 1218	Gray	03/15/95	
Anthony J. Gibbons v. Department of Human Resources	94 CSE 1219	Gray	03/15/95	
Robert Wilson v. Department of Human Resources	94 CSE 1220	Gray	07/21/95	
Grant Jules Marks v. Department of Human Resources	94 CSE 1222	Morrison	06/13/95	
Aarou C. Harris v. Department of Human Resources	94 CSE 1225	Reilly	04/10/95	
Donald L. Costello Sr. v. Department of Human Resources	94 CSE 1228	West	03/17/95	
Kelvin L. Lankford v. Department of Human Resources	94 CSE 1229	West	03/17/95	
Jeffrey Thomas Chambers v. Department of Human Resources	94 CSE 1231	Nesnow	03/03/95	
Robert J. Holden v. Department of Human Resources	94 CSE 1232	Nesnow	03/15/95	
Janet M. Johnson v. Department of Human Resources	94 CSE 1236	Mann	06/02/95	
Michael L. Wright v. Department of Human Resources	94 CSE 1237	Gray	03/15/95	
Amanda F. Blount v. Department of Human Resources	94 CSE 1238	Gray	11/14/95	
Terry S. Gurganus v. Department of Human Resources	94 CSE 1239	Gray	03/02/95	
John Napoleon Window Cross Pullium v. Dept of Human Resources	94 CSE 1241	Gray	03/15/95	
Charles F. Haag Jr. v. Department of Human Resources	94 CSE 1242	Gray	05/31/95	
Michael J. Montroy v. Department of Human Resources	94 CSE 1244	Morrison	03/13/95	
Linton Durante v. Department of Human Resources	94 CSE 1245	Morrison	06/26/95	
Timothy Rex Waddell v. Department of Human Resources	94 CSE 1246	Morrison	06/26/95	
Clarence Benjamin Banks Jr. v. Department of Human Resources	94 CSE 1247	Morrison	05/17/95	
Warren M. Williams v. Department of Human Resources	94 CSE 1248	Morrison	07/11/95	
Dennis L. Moore v. Department of Human Resources	94 CSE 1249	Morrison	03/02/95	
Dennis W. Cashion v. Department of Human Resources	94 CSE 1250	Morrison	07/10/95	
John Carroll Rodgers v. Department of Human Resources	94 CSE 1251	Reilly	05/18/95	
James Edward Knox, Jr. v. Department of Human Resources	94 CSE 1254	Reilly	03/13/95	
Kimberly M. Rinaldi, Robert L. Rinaldi v. Dept. of Human Resources	94 CSE 1255	Reilly	05/18/95	
David House v. Department of Human Resources	94 CSE 1256	Reilly	03/15/95	
Jerry Wayne Blanton v. Department of Human Resources	94 CSE 1257	Reilly	08/11/95	
Antonio Staton v. Department of Human Resources	94 CSE 1258	West	07/21/95	
Aquatin S. Sanchez v. Department of Human Resources	94 CSE 1259	West	03/06/95	
Fred Carter Jr. v. Department of Human Resources	94 CSE 1260	West	05/22/95	
Ricky Ratliff v. Department of Human Resources	94 CSE 1261	West	03/17/95	
Willie McNeil Jr. v. Department of Human Resources	94 CSE 1262	West	03/17/95	
Ray Douglas Brickhouse v. Department of Human Resources	94 CSE 1263	West	03/17/95	
Tyron G. Moore v. Department of Human Resources	94 CSE 1264	West	03/17/95	
Paul A. Card v. Department of Human Resources	94 CSE 1266	Nesnow	03/13/95	
James P. Barton, III v. Department of Human Resources	94 CSE 1267	Nesnow	06/02/95	
Darrin Yancey v. Department of Human Resources	94 CSE 1269	Nesnow	03/15/95	
Douglas L. Lucas v. Department of Human Resources	94 CSE 1270	Nesnow	03/15/95	
Gregory D. Simpson v. Department of Human Resources	94 CSE 1272	Becton	03/15/95	
Lewis A. Garris v. Department of Human Resources	94 CSE 1273	Becton	07/28/95	
Michael Lynn Avery v. Department of Human Resources	94 CSE 1274	Becton	03/15/95	
Elvis M. Graham v. Department of Human Resources	94 CSE 1275	Becton	03/15/95	
Shawn Fonville v. Department of Human Resources	94 CSE 1277	Becton	03/06/95	
David Allan Blan v. Department of Human Resources	94 CSE 1279	Chess	07/26/95	
James Lee, Jr. v. Department of Human Resources	94 CSE 1280	Chess	04/10/95	
Noah L. Houston, Sr. v. Department of Human Resources	94 CSE 1284	Chess	04/26/95	
Wilma Lee Burton v. Department of Human Resources	94 CSE 1285	Chess	07/12/95	
Shannon Vanderaa v. Department of Human Resources	94 CSE 1286	Mann	03/21/95	
Anthony Murray v. Department of Human Resources	94 CSE 1287	Mann	03/21/95	
Carl J. McGuire v. Department of Human Resources	94 CSE 1288	Mann	08/03/95	
Tommy L. Burchfield v. Department of Human Resources	94 CSE 1289	Mann	03/21/95	
Virgil L. Newby v. Department of Human Resources	94 CSE 1290	Mann	08/11/95	
Gregory A. Rodrigues v. Department of Human Resources	94 CSE 1300	Mann	03/21/95	
Nelson D. Edmonds v. Department of Human Resources	94 CSE 1301	Gray	07/27/95	
Larry R. Bales v. Department of Human Resources	94 CSE 1302	Gray	03/02/95	
Karl Philip Jursen v. Department of Human Resources	94 CSE 1303	Gray	03/15/95	
David Harrington v. Department of Human Resources	94 CSE 1304	Morrison	05/22/95	

**CONTESTED CASE DECISIONS**

---

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Sterling Womack v. Department of Human Resources	94 CSE 1305	Morrison	05/18/95	
Michael L. Franks v. Department of Human Resources	94 CSE 1307	Gray	09/21/95	
Hubert Bowe v. Department of Human Resources	94 CSE 1308	Mann	05/18/95	
Edward Fitch v. Department of Human Resources	94 CSE 1313	Mann	05/02/95	
Otis Lewis Jr. v. Department of Human Resources	94 CSE 1314	Mann	03/21/95	
Robert F. Catoc Jr. v. Department of Human Resources	94 CSE 1329	Morrison	03/15/95	
William Anthony Winchester v. Department of Human Resources	94 CSE 1331	Rcilly	03/15/95	
Aaron L. Clark v. Department of Human Resources	94 CSE 1332	Reilly	03/15/95	
Vincent R. Valles Sr. v. Department of Human Resources	94 CSE 1333	West	03/17/95	
Gary W. Gibson v. Department of Human Resources	94 CSE 1334	West	03/06/95	
Mark A. West v. Department of Human Resources	94 CSE 1335	West	03/17/95	
John E. Bolas Jr. v. Department of Human Resources	94 CSE 1336	Nesnow	03/15/95	
Gary C. Wiggins v. Department of Human Resources	94 CSE 1338	Nesnow	03/15/95	
Rhonnie J. Williams v. Department of Human Resources	94 CSE 1339	Becton	03/15/95	
Danny Ray Hensley v. Department of Human Resources	94 CSE 1340	Becton	03/15/95	
Stanley Moore v. Department of Human Resources	94 CSE 1341	Becton	07/28/95	
Rawn Weigel v. Department of Human Resources	94 CSE 1342	Chess	05/22/95	
David C. Glenn v. Department of Human Resources	94 CSE 1343	Chess	04/20/95	
Marc F. Carboni v. Department of Human Resources	94 CSE 1344	Chess	06/01/95	
Ivy M. Harvell v. Department of Human Resources	94 CSE 1345	Mann	03/21/95	
Terry L. McMillon v. Department of Human Resources	94 CSE 1346	Mann	03/21/95	
Garry G. Hickman v. Department of Human Resources	94 CSE 1348	Gray	03/15/95	
Willie Herring v. Department of Human Resources	94 CSE 1350	Morrison	03/02/95	
Joe C. Dean v. Department of Human Resources	94 CSE 1351	Morrison	03/15/95	
Jimmie E. Barnes v. Department of Human Resources	94 CSE 1352	Rcilly	03/03/95	
Cecilia Carmosino v. Department of Human Resources	94 CSE 1354	West	03/17/95	
Marvin F. Walker v. Department of Human Resources	94 CSE 1355	West	03/17/95	
Terry L. Yoder v. Department of Human Resources	94 CSE 1356	Nesnow	10/16/95	
Richard J. Almeida v. Department of Human Resources	94 CSE 1357	Nesnow	03/15/95	
Gary E. Mills v. Department of Human Resources	94 CSE 1358	Becton	08/29/95	
Michael R. French v. Department of Human Resources	94 CSE 1359	Becton	03/15/95	
William R. Casey v. Department of Human Resources	94 CSE 1369	Mann	05/02/95	
John A. Jackson v. Department of Human Resources	94 CSE 1370	Mann	03/07/95	
Michael R. Roberts v. Department of Human Resources	94 CSE 1371	Mann	03/21/95	
Kevin R. Nienke v. Department of Human Resources	94 CSE 1372	Gray	07/18/95	
Cleothis B. Smith v. Department of Human Resources	94 CSE 1373	Gray	03/15/95	
Leroy Johnson Jr. v. Department of Human Resources	94 CSE 1377	Mann	03/31/95	
James Patterson v. Department of Human Resources	94 CSE 1378	Morrison	03/15/95	
Thomas Colon v. Department of Human Resources	94 CSE 1379	Reilly	03/15/95	
Walter Swirniak Jr. v. Department of Human Resources	94 CSE 1382	West	03/17/95	
Michael R. Strong v. Department of Human Resources	94 CSE 1383	West	07/18/95	
Marion Rodriguez v. Department of Human Resources	94 CSE 1385	Nesnow	03/03/95	
Van Edward Arrington v. Department of Human Resources	94 CSE 1386	West	07/18/95	
Jerry L. White Sr. v. Department of Human Resources	94 CSE 1387	Nesnow	03/15/95	
Dennis James Grimes v. Department of Human Resources	94 CSE 1388	Becton	03/15/95	
Scott John Tozzi v. Department of Human Resources	94 CSE 1389	Becton	03/15/95	
Wylie Norris Cooper Jr. v. Department of Human Resources	94 CSE 1391	Mann	08/30/95	
Roger A. Eaton v. Department of Human Resources	94 CSE 1392	Gray	03/09/95	
Willie J. Flowers Jr. v. Department of Human Resources	94 CSE 1393	Morrison	03/15/95	
Jeffrey James Spence v. Department of Human Resources	94 CSE 1394	Reilly	03/15/95	
Byron C. Alston v. Department of Human Resources	94 CSE 1396	Nesnow	03/03/95	
Oliver Lee Wolfe Sr. v. Department of Human Resources	94 CSE 1397	Mann	03/31/95	
James Tracy Strickland v. Department of Human Resources	94 CSE 1398	Mann	03/31/95	
Michael K. Reese v. Department of Human Resources	94 CSE 1412	Gray	03/31/95	
Albert D. Johnson v. Department of Human Resources	94 CSE 1413	Gray	06/26/95	
Johnny A. Stroud v. Department of Human Resources	94 CSE 1414	Gray	06/27/95	
Richard G. Medford, Jr. v. Department of Human Resources	94 CSE 1415	Morrison	03/02/95	
Theresa Strader v. Department of Human Resources	94 CSE 1416	Morrison	03/21/95	
James F. Williams v. Department of Human Resources	94 CSE 1417	Morrison	03/21/95	
John Bell Shelton v. Department of Human Resources	94 CSE 1419	Morrison	06/26/95	
Kennedy C. Uzomba v. Department of Human Resources	94 CSE 1420	Reilly	04/03/95	
Marion A. Ward v. Department of Human Resources	94 CSE 1421	Reilly	03/03/95	
Robert H. Owens v. Department of Human Resources	94 CSE 1423	Reilly	06/02/95	
Samuel A. Lewis v. Department of Human Resources	94 CSE 1424	Reilly	04/03/95	
Robert Lee Wall v. Department of Human Resources	94 CSE 1425	West	03/31/95	
James M. Breaden Jr. v. Department of Human Resources	94 CSE 1426	West	03/31/95	
Peter G. Coley v. Department of Human Resources	94 CSE 1427	West	03/31/95	
Benjamin Nuriddin v. Department of Human Resources	94 CSE 1429	West	03/31/95	

**CONTESTED CASE DECISIONS**

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Robert L. Carter v. Department of Human Resources	94 CSE 1430	Nesnow	03/24/95	
Danny Columbus Baker v. Department of Human Resources	94 CSE 1431	Nesnow	03/24/95	
Duke William Dupre' v. Department of Human Resources	94 CSE 1432	Nesnow	03/24/95	
Audrey Jennings v. Department of Human Resources	94 CSE 1433	Nesnow	03/24/95	
Robert S. Moore v. Department of Human Resources	94 CSE 1434	Nesnow	07/11/95	
Michael A. Camp v. Department of Human Resources	94 CSE 1435	Becton	03/06/95	
Martin J. Miller v. Department of Human Resources	94 CSE 1436	Becton	03/06/95	
Steven L. Cox v. Department of Human Resources	94 CSE 1437	Becton	07/28/95	
Michael P. Cleary v. Department of Human Resources	94 CSE 1438	Becton	07/05/95	
Willie Cherry, Jr. v. Department of Human Resources	94 CSE 1439	Chess	03/03/95	
Michael D. Guyther v. Department of Human Resources	94 CSE 1441	Chess	07/18/95	
Charlie Sturdivant v. Department of Human Resources	94 CSE 1442	Chess	06/29/95	
William V. Glennon v. Department of Human Resources	94 CSE 1444	Mann	03/07/95	
Alaster Williams v. Department of Human Resources	94 CSE 1445	Gray	03/02/95	
Henry L. Gibbs v. Department of Human Resources	94 CSE 1446	Morrison	03/21/95	
Roger Gene Fehlhaber v. Department of Human Resources	94 CSE 1447	Reilly	04/03/95	
Donald Ray Solis v. Department of Human Resources	94 CSE 1449	Nesnow	07/26/95	
Lawrence Dow Dean v. Department of Human Resources	94 CSE 1450	Gray	06/09/95	
Beau L. Miller v. Department of Human Resources	94 CSE 1452	West	03/07/95	
Claude E. Alston v. Department of Human Resources	94 CSE 1454	Nesnow	04/17/95	
Elizabeth F. West v. Department of Human Resources	94 CSE 1455	Nesnow	03/07/95	
John H. Underwood v. Department of Human Resources	94 CSE 1456	Nesnow	04/17/95	
James T. Dudley Jr. v. Department of Human Resources	94 CSE 1457	Nesnow	04/28/95	
Cornelius L. Jones v. Department of Human Resources	94 CSE 1458	Nesnow	08/10/95	
Lori Davis Humphrey v. Department of Human Resources	94 CSE 1459	Becton	03/06/95	
Robert L. Freeland, Jr. v. Department of Human Resources	94 CSE 1460	Becton	04/07/95	
Antonio Darden (IV-D #1237637) v. Department of Human Resources	94 CSE 1461	Becton	04/07/95	
Antonio Darden (IV-D #1280116) v. Department of Human Resources	94 CSE 1462	Becton	04/07/95	
Antonio Darden (IV-D #1233347) v. Department of Human Resources	94 CSE 1463	Becton	04/07/95	
Leonard Keith Morgan v. Department of Human Resources	94 CSE 1464	Chess	08/15/95	
Michael Shannon v. Department of Human Resources	94 CSE 1466	Chess	06/09/95	
Scott Thackrah v. Department of Human Resources	94 CSE 1468	Chess	07/20/95	
Cyrus R. Luallen v. Department of Human Resources	94 CSE 1470	Mann	03/31/95	
Harold Dean Horn v. Department of Human Resources	94 CSE 1471	Mann	03/07/95	
James B. Miller v. Department of Human Resources	94 CSE 1472	Mann	03/07/95	
Glenn Allison v. Department of Human Resources	94 CSE 1473	Gray	03/02/95	
Louis R. Salamone v. Department of Human Resources	94 CSE 1474	Gray	03/09/95	
Lec R. Jones v. Department of Human Resources	94 CSE 1475	Gray	05/19/95	
Randy Norris Willis v. Department of Human Resources	94 CSE 1476	Morrison	03/21/95	
Michael E. Bellamy v. Department of Human Resources	94 CSE 1477	Morrison	03/02/95	
Eddie James Johnson v. Department of Human Resources	94 CSE 1478	Morrison	03/02/95	
Coley C. Matthews v. Department of Human Resources	94 CSE 1479	Morrison	03/21/95	
Willie J. Gadson v. Department of Human Resources	94 CSE 1480	Reilly	04/10/95	
Joseph K. Gatewood v. Department of Human Resources	94 CSE 1481	Reilly	06/26/95	
Donald Lee Barcliff v. Department of Human Resources	94 CSE 1482	Reilly	04/10/95	
James W. Nunnery v. Department of Human Resources	94 CSE 1484	Nesnow	04/17/95	
Terrance Freeman v. Department of Human Resources	94 CSE 1485	Nesnow	07/11/95	
William Leroy Watkins v. Department of Human Resources	94 CSE 1486	Nesnow	04/17/95	
Bailey White v. Department of Human Resources	94 CSE 1487	Nesnow	05/23/95	
Shannon Woodall v. Department of Human Resources	94 CSE 1488	Becton	07/18/95	
Peter Ian Oliveira v. Department of Human Resources	94 CSE 1489	Becton	03/07/95	
Karlyn R. Foster v. Department of Human Resources	94 CSE 1490	Becton	10/12/95	
Ronald E. Lewis v. Department of Human Resources	94 CSE 1491	Becton	03/07/95	
Wesley Kelvin Cook v. Department of Human Resources	94 CSE 1492	Becton	04/07/95	
Everett Lee Hunt v. Department of Human Resources	94 CSE 1493	Chess	06/01/95	
Kenneth W. Cahoon v. Department of Human Resources	94 CSE 1494	Chess	07/12/95	
Ricky S. Blake v. Department of Human Resources	94 CSE 1495	Chess	06/22/95	
Rick E. Atkins v. Department of Human Resources	94 CSE 1496	Chess	06/28/95	
Timothy James Burnett v. Department of Human Resources	94 CSE 1498	Chess	07/20/95	
Carlos L. Robinson v. Department of Human Resources	94 CSE 1499	Mann	03/31/95	
Eddie O. Toro v. Department of Human Resources	94 CSE 1500	Mann	03/31/95	
Timothy Mark Johnson v. Department of Human Resources	94 CSE 1502	Mann	05/02/95	
Alan W. Karsner v. Department of Human Resources	94 CSE 1503	Mann	05/02/95	
Walter J. Sturdivant v. Department of Human Resources	94 CSE 1504	Gray	06/26/95	
Volna Ramone Gales v. Department of Human Resources	94 CSE 1505	Gray	04/07/95	
Bruce Kelly Jacobs v. Department of Human Resources	94 CSE 1508	Gray	03/31/95	
Tony Collins v. Department of Human Resources	94 CSE 1511	Gray	03/02/95	
Ronald O. Biggs v. Department of Human Resources	94 CSE 1512	Gray	04/07/95	

**CONTESTED CASE DECISIONS**

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Keith Dewayne Senters v. Department of Human Resources	94 CSE 1513	Gray	04/28/95	
Walter E. Champion Jr. v. Department of Human Resources	94 CSE 1515	Morrison	08/04/95	
Marvin B. Harris v. Department of Human Resources	94 CSE 1533	Morrison	03/02/95	
Jay C. Edwards, III v. Department of Human Resources	94 CSE 1534	Morrison	04/06/95	
William Hyman v. Department of Human Resources	94 CSE 1535	Morrison	06/26/95	
David M. Manson v. Department of Human Resources	94 CSE 1536	Morrison	09/21/95	
Mahalon E. White v. Department of Human Resources	94 CSE 1537	Morrison	04/06/95	
Dennis Ray Alexander v. Department of Human Resources	94 CSE 1538	Reilly	03/03/95	
Joseph R. & Linda M. Grooms v. Department of Human Resources	94 CSE 1539	Reilly	03/07/95	
Robert M. Martin v. Department of Human Resources	94 CSE 1541	Reilly	03/07/95	
Ashton Berry Gatlin v. Department of Human Resources	94 CSE 1542	Reilly	04/10/95	
Louis Cragg III v. Department of Human Resources	94 CSE 1543	West	03/06/95	
Dennis Micheal Sanders v. Department of Human Resources	94 CSE 1544	West	06/23/95	
Anthony Bonini v. Department of Human Resources	94 CSE 1545	West	07/18/95	
Jerry Wallace v. Department of Human Resources	94 CSE 1546	West	08/25/95	
John D. Twine Sr. v. Department of Human Resources	94 CSE 1547	West	07/18/95	
David A. Gaskins v. Department of Human Resources	94 CSE 1548	West	05/22/95	
Kevin Ervin Kelley v. Department of Human Resources	94 CSE 1549	Nesnow	06/02/95	
Nathaniel Ashford v. Department of Human Resources	94 CSE 1551	Nesnow	07/26/95	
Gilbert S. McLeod v. Department of Human Resources	94 CSE 1552	Nesnow	09/28/95	
Ellen Downing v. Department of Human Resources	94 CSE 1553	Nesnow	03/30/95	
Charles R. Hauley v. Department of Human Resources	94 CSE 1554	Becton	03/07/95	
Michael L. Schadler v. Department of Human Resources	94 CSE 1555	Becton	03/07/95	
Owen B. Fisher Jr. v. Department of Human Resources	94 CSE 1562	Becton	04/07/95	
Robin Delmar Gooda v. Department of Human Resources	94 CSE 1563	Becton	04/07/95	
Julio Alvarado Jr. v. Department of Human Resources	94 CSE 1564	Becton	05/22/95	
Thomas A. Morgan v. Department of Human Resources	94 CSE 1567	Chess	06/02/95	
Terrence R. McLaughlin v. Department of Human Resources	94 CSE 1569	Chess	03/07/95	
Johnnie V. Johnson v. Department of Human Resources	94 CSE 1570	Chess	06/28/95	
Ward F. Miller v. Department of Human Resources	94 CSE 1571	Chess	04/19/95	
Joel P. Roth v. Department of Human Resources	94 CSE 1572	West	03/14/95	
Atward T. Warren v. Department of Human Resources	94 CSE 1573	West	03/31/95	
Monte Harwell v. Department of Human Resources	94 CSE 1576	West	07/18/95	
Albert Noah Dunlap v. Department of Human Resources	94 CSE 1577	Reilly	04/10/95	
James E. Davis v. Department of Human Resources	94 CSE 1578	Reilly	04/10/95	
Roger T. Benoy v. Department of Human Resources	94 CSE 1579	Reilly	03/03/95	
Spencer P. Johnson v. Department of Human Resources	94 CSE 1580	Reilly	04/10/95	
James A. Bryant v. Department of Human Resources	94 CSE 1582	Morrison	04/06/95	
Conrade Dunklin v. Department of Human Resources	94 CSE 1583	Morrison	04/06/95	
Kenneth J. Balfour v. Department of Human Resources	94 CSE 1584	Morrison	03/07/95	
Tony Thomas v. Department of Human Resources	94 CSE 1585	Morrison	07/26/95	
Willie A. Harris v. Department of Human Resources	94 CSE 1586	Morrison	04/06/95	
Walter T. Townsend Jr. v. Department of Human Resources	94 CSE 1587	Gray	04/28/95	
Martin A. Greene v. Department of Human Resources	94 CSE 1588	Gray	08/11/95	
Dennis W. Nolan v. Department of Human Resources	94 CSE 1590	Gray	03/31/95	
Roderick Odell Adams v. Department of Human Resources	94 CSE 1591	Gray	04/07/95	
Jonathan L. Payne II v. Department of Human Resources	94 CSE 1592	Morrison	04/06/95	
Charles Scott Wilhoit v. Department of Human Resources	94 CSE 1594	Reilly	04/21/95	
Mickey Bridgett v. Department of Human Resources	94 CSE 1595	West	05/08/95	
John Kimmons v. Department of Human Resources	94 CSE 1596	Nesnow	04/17/95	
Randolph J. Nunn v. Department of Human Resources	94 CSE 1608	Mann	03/21/95	
David Lester Gordon v. Department of Human Resources	94 CSE 1609	Mann	03/13/95	
Larry James Walker, Jr. v. Department of Human Resources	94 CSE 1610	Chess	06/01/95	
Wade A. Burgess v. Department of Human Resources	94 CSE 1611	Chess	06/09/95	
Gary Jones v. Department of Human Resources	94 CSE 1612	Chess	07/12/95	
Anthony Harrion v. Department of Human Resources	94 CSE 1615	Becton	04/07/95	
Eddie L. Oliver III v. Department of Human Resources	94 CSE 1616	Becton	07/10/95	
Michael D. Tyree v. Department of Human Resources	94 CSE 1619	Becton	04/07/95	
Edward Fisher v. Department of Human Resources	94 CSE 1621	Becton	04/07/95	
Leroy Jones v. Department of Human Resources	94 CSE 1622	Nesnow	07/05/95	
Bernard Cooper v. Department of Human Resources	94 CSE 1623	Nesnow	04/17/95	
William Gray v. Department of Human Resources	94 CSE 1645	Becton	04/25/95	
Edward Lockhart v. Department of Human Resources	94 CSE 1646	Chess	06/02/95	
Duane B. Marshburn v. Department of Human Resources	94 CSE 1647	Mann	08/03/95	
Jimmy R. Jackson v. Department of Human Resources	94 CSE 1648	Gray	03/09/95	
Mark A. Jones v. Department of Human Resources	94 CSE 1649	Morrison	03/07/95	
Ondino Damota Freitas v. Department of Human Resources	94 CSE 1650	Reilly	03/07/95	
Tony Monzell Perry v. Department of Human Resources	94 CSE 1651	West	04/07/95	

**CONTESTED CASE DECISIONS**

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Frank M. Swett v. Department of Human Resources	94 CSE 1652*	Reilly	05/16/95	
James B. Stokes Jr. v. Department of Human Resources	94 CSE 1653	Becton	04/07/95	
Edith Christine Spurlock v. Department of Human Resources	94 CSE 1654	Chess	07/19/95	
Andrew P. Jergens v. Department of Human Resources	94 CSE 1655	Mann	05/22/95	
Nelson Bennett v. Department of Human Resources	94 CSE 1656	Gray	03/02/95	
Eric L. McDonald v. Department of Human Resources	94 CSE 1657	Morrison	04/06/95	
James A. Caldwell v. Department of Human Resources	94 CSE 1658	Reilly	12/12/95	
Kevin Close v. Department of Human Resources	94 CSE 1677	West	08/10/95	
Stephen L. Blankenship v. Department of Human Resources	94 CSE 1678	Becton	07/28/95	
Herbert T. Robertson v. Department of Human Resources	94 CSE 1679	Chess	06/28/95	
Rodney DC Barnes v. Department of Human Resources	94 CSE 1680	Mann	11/16/95	
Kenny R. Bradshaw v. Department of Human Resources	94 CSE 1700	Reilly	04/10/95	
Eddie Harris Jr. v. Department of Human Resources	94 CSE 1702	Becton	04/07/95	
Ronnie P. Stephens v. Department of Human Resources	94 CSE 1703	Chess	06/28/95	
Anthony B. Gardner v. Department of Human Resources	94 CSE 1704	Mann	05/02/95	
Darrell Wayne Sadler v. Department of Human Resources	94 CSE 1723	Morrison	12/06/95	
Timothy C. Okeke v. Department of Human Resources	94 CSE 1724	Reilly	08/08/95	
Lewis M. Scarborough v. Department of Human Resources	94 CSE 1725	West	05/25/95	
Manuel F. Isla v. Department of Human Resources	94 CSE 1749*	Becton	07/28/95	
Robert Larry Martin v. Department of Human Resources	94 CSE 1750	Chess	03/21/95	
Dwane M. Williams v. Department of Human Resources	94 CSE 1759	Nesnow	06/09/95	
Joseph O. Evans v. Department of Human Resources	94 CSE 1766	Chess	03/21/95	
Donald E. Kirby v. Department of Human Resources	94 CSE 1767	Reilly	03/03/95	
Darell D. Gautier v. Department of Human Resources	94 CSE 1768	Mann	08/03/95	
Paul R. Ross v. Department of Human Resources	94 CSE 1778	West	03/06/95	
Bobby Dain Massey v. Department of Human Resources	94 CSE 1798	Gray	04/27/95	
Mandel Curry Edwards v. Department of Human Resources	94 CSE 1799*	Gray	05/31/95	
Carol Jeanne Deese v. Department of Human Resources	94 CSE 1814	Morrison	04/27/95	
James Wright Jr. v. Department of Human Resources	94 CSE 1826	Nesnow	07/11/95	
Joyce Ann Wilkinson v. Department of Human Resources	95 CSE 0071	Becton	04/04/95	
Levern Wilson, Jr. v. Department of Human Resources	95 CSE 0073	Chess	06/28/95	
Michael A. Bradford v. Department of Human Resources	95 CSE 0116	Mann	05/25/95	
Clayman R. Norfleet v. Department of Human Resources	95 CSE 0117	Morrison	07/11/95	
Johnny C. Cole v. Department of Human Resources	95 CSE 0118	Reilly	06/22/95	
Rasoul Behboudi v. Department of Human Resources	95 CSE 0147	West	05/18/95	
David L. Hill v. Department of Human Resources	95 CSE 0200	Becton	08/29/95	
Keith Matthews v. Department of Human Resources	95 CSE 0205	Chess	07/19/95	
Ernest N. Pruitt, Jr. v. Department of Human Resources	95 CSE 0206	Phipps	07/21/95	
Troy Cage v. Department of Human Resources	95 CSE 0207	Phipps	07/26/95	
Clyde R. Gaither v. Department of Human Resources	95 CSE 0208	Phipps	07/31/95	
Randy E. Baker v. Department of Human Resources	95 CSE 0226	Nesnow	07/28/95	
James Glenn Locklear v. Department of Human Resources	95 CSE 0229	Phipps	07/31/95	
Walter Swirniak v. Department of Human Resources	95 CSE 0230	West	07/18/95	
William Rann v. Department of Human Resources	95 CSE 0273	Phipps	06/27/95	
Inez Brown v. Department of Human Resources	95 CSE 0279	Phipps	07/21/95	
Matthew L. Ward v. Department of Human Resources	95 CSE 0280	Phipps	06/27/95	
Sanders Gilliard Hunter v. Department of Human Resources	95 CSE 0284	Phipps	05/22/95	
James A. Bishop Jr. v. Department of Human Resources	95 CSE 0292	Gray	08/07/95	
Mark C. Bushrod v. Department of Human Resources	95 CSE 0297	Morrison	07/26/95	
Antoine D. Jones v. Department of Human Resources	95 CSE 0300	Reilly	07/21/95	
Bennie L. Little v. Department of Human Resources	95 CSE 0313	Morrison	07/21/95	
Yvonne Butler v. Department of Human Resources	95 CSE 0319	Becton	09/18/95	
Derrick Leon Henry v. Department of Human Resources	95 CSE 0321	Chess	07/17/95	
Raul A. Dinzey v. Department of Human Resources	95 CSE 0344	Mann	08/03/95	
David Dean Davis v. Department of Human Resources	95 CSE 0350	Phipps	07/26/95	
Frank McGirt v. Department of Human Resources	95 CSE 0351	Gray	08/07/95	
Kelly Thomas Felty v. Department of Human Resources	95 CSE 0360	Morrison	08/07/95	
Robert Lee Elliott v. Department of Human Resources	95 CSE 0369	Reilly	10/09/95	
Kelvin M. Tarlton v. Department of Human Resources	95 CSE 0370	West	07/26/95	
Clarence O. Hilliard v. Department of Human Resources	95 CSE 0371	Reilly	05/25/95	
Larry James McGirt v. Department of Human Resources	95 CSE 0389	Nesnow	08/10/95	
Alonzo Wilson v. Department of Human Resources	95 CSE 0414	Becton	07/28/95	
Reginald Hill v. Department of Human Resources	95 CSE 0438	Becton	07/21/95	
Rhonda D. Deaton v. Department of Human Resources	95 CSE 0489	Becton	07/05/95	
Timothy W. Barber v. Department of Human Resources	95 CSE 0491	Phipps	08/07/95	
Rudolph C. Williams v. Department of Human Resources	95 CSE 0492	Gray	07/18/95	
John K. Boatic v. Department of Human Resources	95 CSE 0493	Nesnow	08/02/95	
Eva T. Wilson v. Department of Human Resources	95 CSE 0520	Reilly	07/21/95	

**CONTESTED CASE DECISIONS**

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Robert Lee Smith, Jr. v. Department of Human Resources	95 CSE 0528	West	08/25/95	
Dave L. James v. Department of Human Resources	95 CSE 0539	Mann	07/21/95	
Robert Lee Bullock v. Department of Human Resources	95 CSE 0559	Phipps	07/31/95	
Augusta Hepburn v. Department of Human Resources	95 CSE 0573	Gray	08/28/95	
Kenneth Walter Dudney v. Department of Human Resources	95 CSE 0575	Morrison	09/12/95	
Michael Watts Sr. v. Department of Human Resources	95 CSE 0628	Nesnow	09/26/95	
Chris Brown v. Department of Human Resources	95 CSE 0695	Phipps	08/25/95	
Kenneth Collins v. Department of Human Resources	95 CSE 0709	Chess	10/27/95	
Walter Richardson, Jr. v. Department of Human Resources	95 CSE 0710	Chess	09/26/95	
James M. Melvin v. Department of Human Resources	95 CSE 0719	Phipps	10/10/95	
Alvin L. Martin v. Department of Human Resources	95 CSE 0733	Gray	10/05/95	
Kirk Shannon Baker v. Department of Human Resources	95 CSE 0734	Morrison	10/06/95	
Reginald L. Woods v. Department of Human Resources	95 CSE 0759	Reilly	11/08/95	
Willie Gadson v. Department of Human Resources	95 CSE 0783	Nesnow	10/26/95	
Eddie Harris Jr. v. Department of Human Resources	95 CSE 0814	Becton	09/28/95	
Bruce Coleman v. Department of Human Resources	95 CSE 0896	Chess	12/15/95	
Cerulean Fetherston v. Department of Human Resources	95 CSE 0900	Phipps	11/07/95	
Willie M. Herring v. Department of Human Resources	95 CSE 0913	Gray	09/25/95	
Jerry Robert Hahn v. Department of Human Resources	95 CSE 0997	Nesnow	01/03/96	
John Milton Leatherman v. Department of Human Resources	95 CSE 1096	Morrison	12/19/95	
Donald D. Cummings v. Department of Human Resources	95 CSE 1130	Gray	01/03/96	
Norman Hunt v. Department of Human Resources	95 CSE 1160	West	12/12/95	
Carl Bernard Falls v. Department of Human Resources	95 CSE 1183	Morrison	12/11/95	
Keith L. Rosebud v. Department of Human Resources	95 CSE 1212	Gray	12/18/95	
David C. Glenn v. Department of Human Resources	95 CSE 1225	Gray	12/11/95	
Donald (Glendon) Ryan v. Department of Human Resources	95 CSE 1226	Morrison	01/03/96	
David C. Lupfer v. Department of Human Resources	95 CSE 1228	West	01/03/96	
Wilbert W. Moore v. Department of Human Resources	95 CSE 1269	West	12/18/95	
Kennedy C. Uzomba v. Department of Human Resources	95 CSE 1279	Becton	12/18/95	
Ronald E. Lewis v. Department of Human Resources	95 CSE 1282	Gray	12/18/95	
Perry R. Baker v. Department of Human Resources	95 CSE 1299	Morrison	12/11/95	
Jerome Maddox Jr. v. Department of Human Resources	95 CSE 1327	Nesnow	01/03/96	
Derrick C. Humphrey v. Department of Human Resources	95 CSE 1348	West	01/03/96	
Dexter A. Owens v. Department of Human Resources	95 CSE 1378	Chess	12/14/95	
Terry L. Yoder v. Department of Human Resources	95 CSE 1379	Phipps	01/03/96	

*Distribution Child Support*

Lisa J. Hill v. DHR, Div. of Social Svcs., Child Support Enf. Section	95 DCS 0239	Phipps	05/02/95
---	-------------	--------	----------

*Hoke County Social Services*

Mr. and Mrs. William Jefferson v. Hoke Cty Soc Svcs, Linda Cromartie	95 DHR 0857	Gray	08/17/95
--	-------------	------	----------

*Rockingham County Department of Social Services*

Crystean Fields v. Rockingham County DSS	95 DHR 0316	Reilly	06/01/95
--	-------------	--------	----------

*Wake County Social Services*

Grace A. Wright v. Wake County Social Services., Suzanne Woodell and Craig Glenn	94 DHR 1618	Chess	05/03/95
--	-------------	-------	----------

*Division of Vocational Rehabilitation Service*

Marcus Bryan Sloan, III v. Division of Vocational Rehabilitation Service	95 DHR 1000	Chess	11/15/95
--	-------------	-------	----------

**INSURANCE**

Grace F. Watkins v. Teachers' & St. Emp. Comp. Major Med. Plan	94 INS 1639	Chess	05/24/95
Billy Gene Campbell v. Department of Insurance	95 INS 0143	Reilly	04/20/95
Karen Wingert Bunch v. Teachers' & St. Emp. Comp. Major Med. Plan	95 INS 0243	Morrison	07/21/95
Gladys M. Dillard v. Teachers' & St. Emp. Comp. Major Med. Plan	95 INS 0619	Chess	12/05/95

**CONTESTED CASE DECISIONS**

---

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
<b>JUSTICE</b>				
<i>Alarm Systems Licensing Board</i>				
Patrick P. Sassman v. Alarm Systems Licensing Board	94 DOJ 1825	Reilly	03/09/95	
Chad R. Fuller v. Alarm Systems Licensing Board	95 DOJ 0716	West	08/18/95	
Malcolm K. Teague v. Alarm Systems Licensing Board	95 DOJ 0765	Nesnow	10/19/95	
<i>Education and Training Standards Division</i>				
Richard Terry Locklear v. Criminal Justice Ed. & Training Stds. Comm.	94 DOJ 1006* <sup>14</sup>	West	10/30/95	10:17 NCR 2255
and				
Sheriffs' Education and Training Standards Commission				
Ricky Dale McDevitt v. Sheriff's Ed. & Training Stds. Comm.	94 DOJ 1710	Nesnow	05/04/95	10:05 NCR 324
Reginald Keith Goffington v. Criminal Justice Ed. & Training Stds. Comm.	95 DOJ 0028	Becton	06/08/95	
Nervin Joseph DeDeaux v. Criminal Justice Ed. & Training Stds. Comm.	95 DOJ 0029	Reilly	05/16/95	
Tony Lamont Blackmon v. Criminal Justice Ed. & Training Stds. Comm.	95 DOJ 0043	Reilly	06/02/95	
Constance F. Lawrence v. Sheriff's Ed. & Training Stds. Comm.	95 DOJ 0076	Morrison	04/06/95	
Alexander Douglas Jones v. Criminal Justice Ed. & Training Stds. Comm.	95 DOJ 0101	Morrison	06/13/95	10:07 NCR 627
Marilyn Jean Britt v. Sheriff's Ed. & Training Stds. Comm.	95 DOJ 0172	Gray	08/03/95	
Antonio Tremont Davis v. Sheriff's Ed. & Training Stds. Comm.	95 DOJ 0298	Phipps	08/08/95	
Amy Rebecca Batcheler v. Sheriff's Ed. & Training Stds. Comm.	95 DOJ 0364	West	08/16/95	
Richard Terry Locklear v. Criminal Justice Ed. & Training Stds. Comm.	95 DOJ 0365* <sup>14</sup>	West	10/30/95	10:17 NCR 2255
and				
Sheriffs' Education and Training Standards Commission				
Richard Dan Wuchte v. Criminal Justice Ed. & Training Stds. Comm.	95 DOJ 0401	Nesnow	06/07/95	
Henry Roger Judd v. Sheriff's Ed. & Training Stds. Comm.	95 DOJ 0431	Nesnow	08/02/95	
Daryl Tyrone Beard v. Criminal Justice Ed. & Training Stds. Comm.	95 DOJ 0566	Gray	10/11/95	
Leslie Earl Jones v. Sheriff's Ed. & Training Standards Commission	95 DOJ 0726	Becton	12/22/95	10:20 NCR 2646
Jewel T. Braswell v. Criminal Justice Ed. & Training Stds. Comm.	95 DOJ 0730	Phipps	09/11/95	
George H. Powell Jr. v. Criminal Justice Ed. & Training Stds. Comm.	95 DOJ 0784	Phipps	09/08/95	
Mark Jason Smith v. Sheriff's Ed. & Training Stds. Comm.	95 DOJ 0795	Gray	08/14/95	
Bryan Keith Bradley v. Sheriff's Ed. & Training Standards Commission	95 DOJ 0796	Reilly	11/28/95	
Ernie Lowery v. Criminal Justice Ed. & Training Standards Commission	95 DOJ 0898	Nesnow	11/17/95	
Jeffrey Andre Jenkins v. Criminal Justice Ed. & Training Stds. Comm.	95 DOJ 1408	Phipps	07/31/95	
<i>Private Protective Services Board</i>				
Lewis Austin Saintsing v. Private Protective Services Board	94 DOJ 1000	Chess	03/03/95	
Marcus T. Williams v. Private Protective Services Board	94 DOJ 1064	Chess	02/24/95	
Melvin Ray Cooper v. Private Protective Services Board	94 DOJ 1635	Reilly	03/09/95	
Donnell E. Morrow, Jr. v. Private Protective Services Board	94 DOJ 1823	Reilly	03/09/95	
Private Protective Services Board v. James C. Purvis	95 DOJ 0018	Chess	05/15/95	
Private Protective Services Board v. Samuel O. Smith	95 DOJ 0133	Chess	05/09/95	
Jann Mitchell Stanley v. Private Protective Services Board	95 DOJ 0420	Morrison	05/24/95	
Donald Wayne Clark v. Private Protective Services Board	95 DOJ 0444	Phipps	07/14/95	10:09 NCR 805
Richard Frank v. Private Protective Services Board	95 DOJ 0610	Phipps	08/10/95	
Marvin E. Shackleford v. Private Protective Services Board	95 DOJ 0611	Phipps	07/18/95	
Julius T. Fairley v. Private Protective Services Board	95 DOJ 0612	Phipps	07/20/95	
James L. McLeary, Jr. v. Private Protective Services Board	95 DOJ 0613	Phipps	07/18/95	
Bobby E. Smithy v. Private Protective Services Board	95 DOJ 0717	West	08/23/95	10:12 NCR 1039
Frederick B. Moore, Jr. v. Private Protective Services Board	95 DOJ 0766	Morrison	09/01/95	
Daniel C. Inglese v. Private Protective Services Board	95 DOJ 0767	Morrison	08/30/95	
Walter Lee Watson v. Private Protective Services Board	95 DOJ 0768	West	10/09/95	
Charles Ray Gable v. Private Protective Services Board	95 DOJ 0975	Gray	10/17/95	
Richard Dulin, Jr. v. Private Protective Services Board	95 DOJ 0976	Gray	12/29/95	
Robert Baxter McGuire, Sr. v. Private Protective Services Board	95 DOJ 0977	Gray	10/17/95	
Robert Conrad Martin v. Private Protective Services Board	95 DOJ 1122	Chess	12/22/95	
Larry C. Tant v. Private Protective Services Board	95 DOJ 1124	Chess	12/19/95	
Robert E. Brown v. Private Protective Services Board	95 DOJ 1134	Chess	12/28/95	
Raymond Douglas Boggs v. Private Protective Services Board	95 DOJ 1138	Reilly	11/30/95	

**CONTESTED CASE DECISIONS**

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
<b>LABOR</b>				
<i>Occupational Safety &amp; Health Division</i>				
Lenoir County Public Schools v. Department of Labor, OSHA	95 DOL 0218	Nesnow	05/01/95	
<i>Private Personnel Service Division</i>				
Employment Consultants, Inc. v. Private Personnel Service Division	95 DOL 0209	Morrison	07/07/95	
<i>Wage and Hour Division</i>				
R.J. Scott, Pres. Pirate Enterprises, Inc. v. Labor, Wage & Hour Div.	94 DOL 1524	West	03/23/95	
<b>PRACTICING PSYCHOLOGISTS</b>				
John E. Miller v. Psychology Board	95 BPP 0629	Nesnow	09/12/95	
<b>PUBLIC INSTRUCTION</b>				
Glenn II, on behalf of Glenn II, and Glenn II, Individually v. Charlotte-Mecklenburg County Schools	93 EDC 0549	Chess	03/16/95	
Donna Marie Snyder v. Department of Public Instruction	93 EDC 0731	Chess	10/11/95	
S.M. on Behalf of J.A.M., and S.M., Individually, and J.M. v. Davie County Board of Education	93 EDC 0742	Phipps	05/30/95	
William Hewett v. State Board of Education	94 EDC 0533	Gray	03/31/95	10:02 NCR 179
James Midgette v. State Board of Education	94 EDC 1401	Reilly	05/02/95	
Deborah R. Crouse v. State Board of Education	95 EDC 0003	Chess	04/10/95	
Haydn Stewart Hasty v. State Board of Education	95 EDC 0027	Reilly	10/09/95	10:15 NCR 1632
Bobby G. Little v. Department of Public Instruction	95 EDC 0168	Phipps	03/20/95	
Tonya Marie Snipes and Robert Leon Snipes v. Orange County Schools	95 EDC 0225	Mann	05/15/95	
Vance County Schools v. Haywood Yarborough	95 EDC 0235	Mann	08/04/95	
Laverne K. Suggs v. Department of Public Instruction	95 EDC 0384	Nesnow	07/12/95	
Lavern K. Suggs v. Guilford County Schools	95 EDC 0385	Nesnow	06/02/95	
Kenneth G.H. Leftwich v. State Board of Education	95 EDC 0405	Nesnow	05/25/95	
Madeline J. Taylor v. Department of Public Instruction	95 EDC 0525	Phipps	10/25/95	
William Andrew McCullough v. Public Instruction, Licensure Section	95 EDC 0915	Gray	10/30/95	
Bobby Jean L. Chavis v. Department of Public Instruction	95 EDC 0940	Gray	12/18/95	
Nancy L. Bauman v. Chapel Hill/Carrboro City School System	95 EDC 1088	Mann	12/21/95	
<b>STATE BAR</b>				
Phillip S. Banks, III v. North Carolina State Bar	95 BAR 0861	Morrison	08/18/95	
<b>STATE PERSONNEL</b>				
<i>Appalachian State University</i>				
Theresa Louise Whittington v. Appalachian State University	95 OSP 0698	Phipps	12/08/95	
<i>Caswell County Health Department</i>				
Della Brown v. Caswell County Health Department	94 OSP 0834	Nesnow	06/12/95	
Julie R. Johnson v. Caswell County Health Department	94 OSP 0865	Reilly	03/15/95	
<i>N.C. Central University</i>				
Peter A. Fore v. N.C. Central University	93 OSP 0189	Nesnow	06/13/95	
<i>Department of Commerce</i>				
T. Sherwood Jernigan v. Dept. of Commerce, Savings Institution Div.	94 OSP 0775	West	05/25/95	

**CONTESTED CASE DECISIONS**

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
<i>Department of Community Colleges</i>				
Sheila M. Thompson v. Department of Community Colleges	94 OSP 1530	Chess	11/01/95	10:17 NCR 2272
<i>Department of Correction</i>				
Nancy Gilchrist v. Department of Correction	94 OSP 0121	West	03/09/95	
Howard Gray Sadler v. Correction, Div. of Adult Probation/Parole	94 OSP 0332	West	05/15/95	
Thomas Wayne Smathers v. Department of Correction	94 OSP 0590	West	03/23/95	
George J. McClease, Jr. v. Department of Correction	94 OSP 0644	Gray	04/19/95	
Gaius Wells v. Department of Correction	94 OSP 0684	West	10/12/95	10:15 NCR 1610
Nancy C. Walker v. Department of Correction	94 OSP 1206	Gray	08/18/95	
Jeffrey Leonard Jenkins v. Dept of Correction/Piedmont Correctional Inst	94 OSP 1802	West	11/29/95	
Ruth Kearney v. Department of Correction	94 OSP 1807	Becton	03/13/95	
Ann R. Fletcher v. Department of Correction	95 OSP 0123	Chess	08/21/95	
Odell Davis v. Department of Correction	95 OSP 0244	Gray	09/21/95	
James W. Hughes v. Department of Correction, Blue Ridge Unit Avery	95 OSP 0334	Becton	07/25/95	
Dennis Harrell v. Department of Correction	95 OSP 0440	Phipps	09/05/95	10:13 NCR 1209
William E. Norwood, Jr. v. Department of Correction	95 OSP 0500	Gray	08/16/95	
Brent Macemore v. Department of Correction	95 OSP 0501	Chess	12/12/95	
Shelby Gorham-Teel v. Department of Correction	95 OSP 0536	Reilly	10/23/95	
Larry Riddle v. Department of Correction	95 OSP 0570	West	10/18/95	
William D. Bryant Jr. v. Department of Correction	95 OSP 0645	West	12/15/95	
Eric Little v. Department of Correction, Morrison Youth Institution	95 OSP 0658	Phipps	10/18/95	
John R. Yates v. Department of Correction	95 OSP 0688	Becton	12/19/95	
Cynthia R. Steven v. N.C. Women's Prison	95 OSP 0829	Chess	10/24/95	
Mark R. Murphy v. Department of Correction	95 OSP 1047	Nesnow	10/26/95	
Haydee C. Craver v. Department of Correction	95 OSP 1357	Nesnow	01/03/96	
<i>Department of Crime Control and Public Safety</i>				
Betty Sue Whitley v. National Guard Dept. Crime Control & Public Safety	94 OSP 1399	Chess	06/13/95	
Robert W. Beasley v. Crime Control & Public Safety, St. Highway Patrol	94 OSP 1821	Morrison	08/10/95	10:11 NCR 965
Robert L. Whitesell v. Crime Control & Public Safety, St. Highway Patrol	95 OSP 0738	Reilly	12/20/95	
Gene Wells v. Crime Control & Public Safety, Div. State Highway Patrol	95 OSP 0835* <sup>15</sup>	Nesnow	12/05/95	
Gene Wells v. Crime Control & Public Safety, Div. State Highway Patrol	95 OSP 0936* <sup>15</sup>	Nesnow	12/05/95	
<i>Office of the District Attorney</i>				
Shannon Caudill v. Office of the District Attorney for Judicial District 17-B, and Administrative Office of the Courts	95 OSP 0188	Nesnow	03/20/95	
<i>Dorothea Dix Hospital</i>				
Paul E. Hunter v. Dorothea Dix Hospital	95 OSP 0504	Gray	07/12/95	
Paul E. Hunter v. Dorothea Dix Hospital	95 OSP 0801	Chess	12/12/95	
<i>Durham County Health Department</i>				
Laurie A. Gerhard v. Durham County Health Department	95 OSP 0220	Phipps	08/17/95	10:12 NCR 1043
<i>East Carolina University</i>				
Helen E. Wolfe v. East Carolina University, Dept. of Biology	94 OSP 1558	Reilly	09/07/95	
Lillie Mercer Atkinson v. ECU, Dept. of Comparative Medicine, et al.	95 OSP 0038* <sup>7</sup>	Becton	06/08/95	
Lillie Mercer Atkinson v. ECU, Dept. of Comparative Medicine, et al.	95 OSP 0057* <sup>7</sup>	Becton	06/08/95	
<i>Edgecombe County Health Department</i>				
Ronald E. Wooten v. Edgecombe County Health Department	94 OSP 1209	Gray	07/10/95	

**CONTESTED CASE DECISIONS**

---

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
<b><i>Department of Environment, Health, and Natural Resources</i></b>				
Babette K. McKemie v. EHN, Div. of Environmental Management James M. Kelly v. Dept of Environment, Health, & Natural Resources	94 OSP 0358 95 OSP 0777	Chess Becton	05/31/95 11/27/95	10:18 NCR 2449
<b><i>Fayetteville State University</i></b>				
George Benstead v. Fayetteville State University Lt. Bobby McEachern v. FSU Police Department Officer Gregor A. Miles v. FSU Police Department	94 OSP 1597 95 OSP 0042* <sup>9</sup> 95 OSP 0058* <sup>9</sup>	Nesnow Reilly Reilly	04/04/95 07/05/95 07/05/95	
<b><i>Forsyth Stokes Mental Health Center</i></b>				
Michael Howell v. Forsyth Stokes Mental Health Center	94 OSP 0499	Chess	03/24/95	
<b><i>Guilford County Mental Health</i></b>				
Darrell Edwin Fricke v. Guilford County Mental Health (Thomas S. Div.)	95 OSP 0942	West	09/22/95	
<b><i>Department of Human Resources</i></b>				
April Benfield v. Department of Human Resources and Western Carolina Center Geraldine Blackston v. DHR, NC Special Care Center Eugene Hightower, Jr. v. Department of Human Resources, EEO Rebecca Johnson v. Human Resources, Special Care Center Edward E. Williams v. NC Special Care Center, Def./Emp, DHR	94 OSP 1758 94 OSP 1773 94 OSP 1811 95 OSP 0138 95 OSP 0483	Nesnow Becton West West Reilly	06/07/95 11/17/95 05/04/95 03/31/95 10/03/95	10:18 NCR 2433
<b><i>Black Mountain ADATC</i></b>				
Julie Y. Newton v. ADATC Black Mtn & St. of North Carolina	95 OSP 0850	Nesnow	12/05/95	
<b><i>Black Mountain Center</i></b>				
James Harriaon v. Black Mountain Center, Dept. of Human Resources James Harrison v. Black Mountain Center, Dept. of Human Resources	94 OSP 0994* <sup>11</sup> 95 OSP 0190* <sup>11</sup>	Gray Gray	07/31/95 07/31/95	
<b><i>Caswell Center</i></b>				
David A. Kilpatrick v. DHR, Caswell Center	95 OSP 0267	Nesnow	10/25/95	
<b><i>Cherry Hospital</i></b>				
William H. Cooke v. DHR, Cherry Hospital Sandra Chase Butts v. Department of Human Resources, Cherry Hospital Deloria L. Johnson v. Cherry Hospital, DHR	93 OSP 1547 95 OSP 0047 95 OSP 0409	Gray West Gray	03/16/95 11/29/95 08/25/95	10:18 NCR 2442
<b><i>Cumberland County Department of Social Services</i></b>				
Gloria Daniels v. Cumberland County Department of Social Services	95 OSP 0714	Nesnow	12/04/95	
<b><i>Durham County Department of Social Services</i></b>				
Delores H. Jeffers v. Durham County Department of Social Services Jacquenetta Blackwell v. Durham County Department of Social Services	94 OSP 0939 95 OSP 0692	Morrison Reilly	06/12/95 11/28/95	
<b><i>Gaston County Department of Social Services</i></b>				
Bobbie J. Gilliam v. Gaston County Department of Social Services	94 OSP 0770	West	05/24/95	
<b><i>Halifax County Department of Social Services</i></b>				
Robert E. Sykes v. Halifax County Department of Social Services	94 OSP 0826	Gray	11/15/95	

**CONTESTED CASE DECISIONS**

---

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
<i>Iredell County Department of Social Services</i>				
Vernon E. Grosse v. Iredell County Department of Social Services	94 OSP 0282	Becton	03/09/95	
Bonnie N. Bellamy v. Iredell County Department of Social Services	94 OSP 0739	Chess	03/01/95	10:01 NCR 48
<i>Division of Medical Assistance</i>				
George F. Knight v. Division of Medical Assistance, DHR	95 OSP 0700	Reilly	11/28/95	
<i>New Hanover County Department of Social Services</i>				
Kathleen M. Gallagher v. Dept. of Social Services New Hanover , NC	95 OSP 0823* <sup>17</sup>	West	12/20/95	
Kathleen M. Gallagher v. Dept. of Social Services New Hanover , NC	95 OSP 0824* <sup>17</sup>	West	12/20/95	
Kathleen M. Gallagher v. Dept. of Social Services New Hanover , NC	95 OSP 0825* <sup>17</sup>	West	12/20/95	
<i>Richmond County Department of Social Services</i>				
Emma Jane Bradley v. Richmond County Dept. of Social Services	95 OSP 0055	Reilly	07/18/95	10:09 NCR 809
<i>Wake County Department of Health</i>				
Regina K. Crowder v. Wake County/Health Dept., Caroline E. Lee, Dir.	94 OSP 1032* <sup>8</sup>	Nesnow	06/12/95	
Sabrina R. Crowder v. Wake County/Health Dept., Richard Stevens	94 OSP 1072* <sup>8</sup>	Nesnow	06/12/95	
Thomasine D. Avery v. Wake County/Health Department	94 OSP 1074* <sup>8</sup>	Nesnow	06/12/95	
<i>Wake County Department of Social Services</i>				
Olivia L. Jordan v. Wake County/Department of Social Services	94 OSP 1179* <sup>8</sup>	Nesnow	06/12/95	
<i>Department of Labor</i>				
Michael Robert Smith v. Department of Labor	94 OSP 0610	Nesnow	06/09/95	
<i>Lee-Harnett Area Mental Health, Developmental Disabilities, and Substance Abuse Authority</i>				
Julie Dyer v. Lee-Harnett Area MH/DD/SA Authority	94 OSP 0750	Gray	03/20/95	
<i>North Carolina Special Care Center</i>				
Lynn Banasiak Bass v. North Carolina Special Care Center	95 OSP 0419	Phipps	08/01/95	
<i>North Carolina State University</i>				
Artelia S. Clark v. N.C. State University	89 OSP 0612	Nesnow	07/07/95	
Wesley Brown v. N.C. State University	94 OSP 1173	Reilly	06/30/95*	10:08 NCR 700
David L. Bauer v. North Carolina State University	95 OSP 0044	Morrison	04/25/95	
Billy Ray Kelly v. NCSU Physical Plant	95 OSP 0130	West	03/22/95	
Heather Ann Waskiowicz v. NCSU, Dept. of Public Safety	95 OSP 0213	Phipps	07/06/95	
Antoinette Chavis-Scott v. N.C.S.U. Accounts Payable	95 OSP 0800	Chess	10/31/95	
<i>Orange-Person-Chatham Mental Health</i>				
Patricia A. Harris v. Orange-Person-Chatham Mental Health	95 OSP 0162	West	04/11/95	
<i>Department of Revenue</i>				
Wayne Davenport v. Department of Revenue, Motor Fuels Tax Division	95 OSP 0902	Becton	11/03/95	
<i>Richmond Community College</i>				
Willie J. Breedon v. Richmond Community College	95 OSP 0846	Gray	09/13/95	
<i>Department of Transportation</i>				
Michael E. Kornegay v. Department of Transportation	93 OSP 1700	Gray	03/24/95	
Robert F. Goins v. Department of Transportation	94 OSP 0281	Chess	05/30/95	
Esther Doe Murphy v. Department of Transportation	95 OSP 0114	Gray	07/10/95	
Debra R. Embden v. DOT, Division of Motor Vehicles	95 OSP 0411	Morrison	11/01/95	10:17 NCR 2286

**CONTESTED CASE DECISIONS**

---

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Mary Matthews Finnerty v. Department of Transportation	95 OSP 0412	Nesnow	11/02/95	
Lonnie Joseph Cole v. NC DOT (TTI's Boone NC) Div. of Hwys	95 OSP 0606	West	10/24/95	
Judy H. Arnold v. Department of Transportation, Div. of Motor Vehicles	95 OSP 1075	Becton	07/31/95	
<b><i>Union County Schools</i></b>				
Carolyn H. Elkins v. Union County Schools	95 OSP 0948	Reilly	11/03/95	
<b><i>University of North Carolina</i></b>				
Beth Ann Miller v. UNC Student Health	94 OSP 0800	Nesnow	05/25/95	
Roberta Jones v. University of North Carolina-Chapel Hill	94 OSP 1718	Chess	10/31/95	10:17 NCR 2276
<b><i>UNC Hospitals</i></b>				
David Patrick Malone v. Univ. of NC Hospital at Chapel Hill	94 OSP 0771	Becton	03/14/95	
Lillian C. Daniels v. UNC Hospital	95 OSP 0056	Morrison	05/11/95	
<b><i>Wake County</i></b>				
Mark Morgan v. Wake County	94 OSP 0937	Nesnow	04/28/95	10:04 NCR 287
<b>STATE TREASURER</b>				
John W. Parris v. Bd. of Trustees//NC Local Gov. Emp. Retirement Sys.	91 DST 1093	Nesnow	05/04/95	
Channie S. Chapman v. Bd/Trustees//NC Local Gov. Emp. Ret Sys.	94 DST 0443	Morrison	05/15/95	
Bryan L. Basden v. Retirement Systems Division	95 OSP 0171	Chess	06/21/95	
Wayne La Broad v. Bd./Trustees//Teachers/St. Emp. Retirement Sys.	95 DST 0219	Morrison	07/14/95	
Tammy Evonne Ashcroft Brownv. Bd/Tr.///NC Local Gov. Emp. Ret Sys.	95 DST 0404	Phipps	07/27/95	10:10 NCR 872
<b>DEPARTMENT OF TRANSPORTATION</b>				
Maupin Travel, Inc., Anthony W. Maupin v. Dept of Transportation	95 DOT 0818	Chess	12/05/95	
<b>UNIVERSITY OF NORTH CAROLINA</b>				
Jerry B. Potter, Sr. v. UNC Hospitals at Chapel Hill	95 UNC 0502	Gray	09/12/95	
Judy Blacknell v. University of NC Hospitals at Chapel Hill	95 UNC 0865	Chess	12/08/95	

STATE OF NORTH CAROLINA  
COUNTY OF JONES

---

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
95 DOJ 0726

LESLIE EARL JONES, )  
Petitioner, )  
v. )  
N.C. SHERIFFS' EDUCATION AND )  
TRAINING STANDARDS COMMISSION, )  
Respondent. )

---

**PROPOSAL FOR DECISION**

This matter was heard before the undersigned administrative law judge in New Bern, North Carolina on November 29, 1995.

**APPEARANCES**

For Petitioner: Jimmie C. Proctor, Attorney at Law, Trenton, North Carolina.

For Respondent: John J. Aldridge, III, Assistant Attorney General, N.C. Department of Justice, Raleigh, North Carolina.

**ISSUE**

Is Petitioner's certification as a Jones County Deputy Sheriff properly subject to denial on the grounds that he knowingly made a material misrepresentation of any information required for certification or accreditation from the Commission or the North Carolina Criminal Justice Education and Training Standards Commission, and that he knowingly and designedly by any means of false pretense, deception, defraudation, misrepresentation, or cheating whatsoever, obtained or attempted to obtain credit, training or certification from the North Carolina Sheriffs' Education and Training Standards Commission by failing to include September 30, 1968 charges of Disorderly Conduct-Fighting and Assault with a Gun from Anniston, Alabama in response to Question 47 of his Personal History Statement?

**STATUTES AND RULES INVOLVED**

12 NCAC 10B .0204(c)(1) and (2)  
12 NCAC 10B .0205

**EXHIBITS**

The following exhibits offered by the Respondent were received in evidence:

- R1. Stipulation of Facts.
- R2. Form F4, Report of Appointment, December 13, 1994.
- R3. Personal History Statement of Petitioner, dated December 13, 1994.
- R4. Criminal Record Index on Petitioner, dated September 30, 1968.
- R5. Form F8, January 5, 1995.
- R6. Probationary Certification for Petitioner, February 6, 1995.
- R7. Petitioner's letter dated May 2, 1995.
- R8. Notification of Probable Cause to Petitioner, dated June 12, 1995.

Based upon the official documents in the file, sworn testimony of the witnesses, and other competent and admissible evidence, the undersigned makes the following:

**FINDINGS OF FACT**

**Stipulated Facts**

1. Both parties are properly before this Administrative Law Judge, in that jurisdiction and venue are proper, that both parties received proper Notice of Hearing required pursuant to North Carolina General Statutes 150B-38.
2. The North Carolina Sheriffs' Education and Training Standards Commission has authority granted under Chapter 17E of the North Carolina General Statutes and Title 12 of the North Carolina Administrative Code, Chapter 10, subchapter 10B, to certify justice officers as either deputy sheriffs or jailers, and to deny, revoke, or suspend such certification.
3. That 12 NCAC 10B .0204(c)(1) and (2) provides:
  - (c) that the Commission may revoke, suspend or deny the certification of a justice officer when the commission finds that the applicant for certification or certified officer:
    - (1) knowingly made a material misrepresentation of any information required for certification or accreditation from the Commission or the North Carolina Criminal Justice Education and Training Standards Commission.
    - (2) knowingly and designedly by any means of false pretense, deception, defraudation, misrepresentation, or cheating whatsoever, obtained or attempted to obtain credit, training or certification from the Commission or the North Carolina Criminal Justice Education and Training Standards Commission.
4. On December 13, 1994, the Petitioner was appointed as a deputy sheriff with the Jones County Sheriff's Office.
5. On December 13, 1994, the Petitioner completed a Personal History Statement (Form F-3) as part of his request for certification as a deputy sheriff through the North Carolina Sheriffs' Education and Training Standard Commission. In response to Question #47 of the Personal History Statement which reads, "Have you ever been arrested by a law enforcement officer or otherwise charged with a criminal offense?", the Petitioner indicated a previous criminal charge of assault out of Columbus, Georgia on February 28, 1984.
6. On September 30, 1968, Petitioner was charged by the Anniston County Police Department in Alabama with the criminal offenses of Disorderly Conduct (fighting) and Assault with a Gun. The criminal index cards retained by the Anniston Police Department show the Petitioner paid a fine of \$32.00 for the disorderly conduct charge and the assault with a gun charged was *nol prossed*. No other records exist of these offenses.
7. On June 12, 1995, Joan G. Neuner, Director of the Sheriffs' Education and Training Standards Commission , sent to the Petitioner by certified mail, a letter advising the Petitioner that probable cause had been found to believe that he was not currently qualified to receive certification as a justice officer for making material misrepresentations of his prior criminal history information on his application form.

**Adjudicated Facts**

8. At the time that the Petitioner received his appointment as a deputy sheriff, the newly elected Sheriff of Jones County was in the process of establishing an entirely new sheriff's department. Because of the lack of transition from one sheriff's administration to another one, the atmosphere at the sheriff's department was described by several of the witnesses as "total chaos."
9. Robert R. Mason assumed the responsibilities of Sheriff of Jones County on December 5, 1994. Previously, he served twenty-five years with the North Carolina State Highway Patrol. Because he was new to the position, Sheriff Mason relied heavily upon the experience and expertise of Robert B. Miller, a retired Highway Patrolman who he had hired as Bailiff and to perform administrative duties, and Eddie Rowe, a veteran deputy sheriff with twenty-eight years with the Craven County Sheriff's Department, for the processing of the newly appointed deputy sheriffs. Mr. Rowe instructed the new deputies to consult with Robert B. Miller if they had any questions about the forms.
10. The Petitioner and the other new deputies were given various forms to complete, including the Personal History Statement which is at issue in this case. They were instructed to fill out the forms truthfully. In addition they were

sent to have criminal record checks done.

11. The Petitioner provided the following answers to pertinent questions on the Personal History Statement:
  - #39. Were you ever court martialed, tried on charges, or were you the subject of summary court, deck court, captain's mast or company punishment, or any other disciplinary action while a member of the armed forces?  
Answer: Yes, Bn Art #75 speeding, 1969.
  - #47. Have you ever been arrested by a law enforcement officer or otherwise charged with a criminal offense?  
Answer: Assault (which I didn't do) 1984, Columbus GA; I went to court once/gave lawyer I believe \$300.00 Never heard anything else
  - #48. Have you ever been charged with or convicted of a felony?  
Answer: Yes. I never was lock up or given a sentence, It was and (sic) Xgirl, when she found out I got married, she said I "assaulted" her
12. When the Petitioner went over his Personal History Statement with Mr. Miller, Mr. Miller added information obtained from the criminal record check about the 1984 assault charges so that the answer to question #47 included the date "Feb.28", listed the Law Enforcement Agency as "Columbus GA. P.D.", and added "simple battery" to the information regarding the Offense charged. With regard to question #48, Mr. Miller changed the Petitioner's "Yes" response to a "No." Mr. Miller did not ask the Petitioner whether there had ever been any other charges brought against him.
13. When the Petitioner had his criminal record checks done, both a NCIC and a DCI check were performed. Neither record check listed any 1968 charges from Anniston, Alabama.
14. When Sheriff Mason was notified by the Respondent that there were problems with the Petitioner's application for certification because he omitted 1968 charges from Anniston, Alabama, Sheriff Mason met with the Petitioner. When Sheriff Mason first informed the Petitioner that there was a problem because the criminal record check indicated that the Petitioner had a record, the Petitioner thought Sheriff Mason was referring to the 1984 assault charge in Georgia. When Sheriff Mason corrected the Petitioner's mistake by referring to charges from Alabama, the Petitioner appeared to be dumbfounded. It took the Petitioner a few minutes recall the events that took place in 1968. Once the Petitioner recalled the 1968 incident, he readily admitted to having been arrested in Alabama while in the military. He said he had not included that incident on his Personal History Statement because he had forgotten about it.
15. The Petitioner's explanation for not including the 1968 charges was that at the time the incident occurred, he reported it to his commanding officer and was told not worry about it. During his career in the military, the incident never became an issue as he progressed up the ranks and received various security clearances. Once he no longer had to list the incident on any applications for security clearances, the events eventually faded from his memory. At the time he completed his Personal History Statement, over 25 years had elapsed since the incident. During those 25 years, there had never been any negative repercussions from the incident that would have kept the incident fresh in his memory. At the time the Petitioner completed his Personal History Statement, he did not recall the 1968 incident and nothing appeared in his criminal record check to remind him of that event.
16. The Petitioner answered all of the questions contained in the personal history, totaling some 60 individual questions, as candidly as possible. He even erred on the side of checking the more serious offense of "felony" in response to question #48 when he was unsure of the gravity of the offense. It was Mr. Miller who changed the answer to that question.
17. The Petitioner's answer to question #47 was not intended to hide anything from the Commission. Nor was it answered incorrectly because he was afraid that he would be denied certification if he indicated he had been arrested in Alabama in 1968. If that had been the case, the Petitioner would not have listed any charges and he would not have characterized the 1984 incident as a felony. The fact that it took the Petitioner a little while to remember the 1968 incident, even when Sheriff Mason questioned him about it, is an indication that he did not knowingly make any false or material misrepresentations which were intended to deceive, defraud, misrepresent, or cheat in an effort

- to obtain credit, training, or certification from the Commission or the North Carolina Criminal Justice Education and Training Standards Commission.
18. The Respondent ran a finger print check on the Petitioner. Neither the Petitioner nor the Jones County Sheriff's Office could do a finger print check. The finger print check for the Petitioner showed that he had charges in Anniston, Alabama.
19. The Criminal Record Index on the Petitioner that the Respondent received from Anniston, Alabama indicates that the Petitioner was charged with Disorderly Conduct-Fighting, Docket No. 10634, and Assault with a Gun, Docket No. 10635. He paid a \$32.00 fine in the Disorderly Conduct-Fighting charge. The Assault with a Gun charge was *not* prosed.
20. Mr. Miller testified that he is familiar with the Petitioner's character and reputation and that it is good. Mr. Miller also testified that the Petitioner is a good deputy sheriff and an essential employee of the Sheriff's staff because he is shift supervisor, a native of Jones County who is very well liked by the residents, and he is one of only two African-Americans on staff in a county that is approximately 50% African-American. Mr. Miller feels that the omission of the Alabama charges was an honest oversight by the Petitioner because it took him a while to recall the incident when Sheriff Mason questioned the Petitioner about it.
21. The Petitioner offered testimony from Gregory C. Butler, an Assistant District Attorney for the 4th Judicial District which includes Jones County. Mr. Butler has known the Petitioner for approximately one year. He considers honesty a critical character trait for a criminal justice official and would not allow the Petitioner to testify in the cases he handles if he had any question about the Petitioner's honesty. Mr. Butler considers the Petitioner to be one of the finest deputy sheriffs in all four of the counties that comprise the 4th Judicial District.
22. The Petitioner tendered Troy Peters, another Assistant District Attorney for the 4th Judicial District, as a witness. Mr. Peters' testimony would have been the same as Mr. Butler's.
23. Larry Meadows, Jones County's County Manager for the past twelve years, testified that he has known the Petitioner since December 1994. He is familiar with the Petitioner's character and knows him to be honest and professional.
24. Sheriff Mason testified that in his opinion, the Petitioner has done an extraordinary job as a deputy sheriff and it would cause harm to the Sheriff's Office if Petitioner is not allowed to remain on the force. He considers the Petitioner a critical employee. Sheriff Mason believes that Petitioner simply forgot about the Alabama incident because it occurred almost thirty years ago.
25. Jeffrey Steve Fulk is an attorney practicing in New Bern, North Carolina, and also a Reserve Officer with the Jones County Sheriff's Office since July 1995. The Petitioner has been involved in training Mr. Fulk. Mr. Fulk has had many occasions to observe the Petitioner performing his duties. In Mr. Fulk's opinion, the Petitioner is professional, respected by fellow officers and the public he serves, and is a leader in the Sheriff's Office.
26. The Petitioner tendered several persons from the community as character witnesses: Sheri Davenport, an attorney who has known the Petitioner for a year; Ida Franks and Robert Murrell, who have known the Petitioner all of his life. These persons would have testified to the Petitioner's outstanding character and reputation in the community.

Based on the foregoing Findings of Fact, the undersigned Administrative Law Judge makes the following:

**CONCLUSIONS OF LAW**

1. Both the parties are properly before this Administrative Law Judge, in that jurisdiction is proper and both parties received notice of the hearing.
2. The Petitioner did make a material misrepresentation on his Personal History Statement when he failed to include the 1968 charges arising out of Anniston, Alabama. The misrepresentation was material even though the Respondent's rules require commission or conviction of four or more misdemeanors in order to be subject to denial of the requested certification. See 12 NCAC 10B .0204(d). The Respondent contends that there were three charges

in 1968: disorderly conduct, fighting, and assault with a gun. Based, however, on the fact that there are only two docket numbers and the fact that a disorderly conduct charge must be based on some specified action, the undersigned concludes that there were only two charges: disorderly conduct, i.e. fighting, and assault with a gun. Therefore, even if the Petitioner had listed the Alabama charges, 12 NCAC 10B .0204(d) would not have been applicable. The misrepresentation was material because it prevented the Respondent from investigating the circumstances surrounding the 1968 charges.

3. The Respondent failed to establish by the greater weight of the evidence that the Petitioner "knowingly" misrepresented the facts by failing to include the 1968 Alabama charges on his Personal History Statement. The Respondent argues that people do not "forget" events as significant as an arrest. The Petitioner does not contend that he has no recollection of the Alabama incident. He merely contends that the incident did not come to mind while he was completing his Personal History Statement and nothing occurred during process of assembling the documents required for certification to remind him of that incident. The evidence was overwhelming that the Petitioner is a honest, trustworthy, hard working, and well respected citizen of Jones County. There was no evidence presented that would cause one to question the Petitioner's honesty. Therefore, the undersigned concludes that the Petitioner did not knowingly make a material misrepresentation of any information required for certification by the Commission.

**PROPOSED DECISION**

IT IS HEREBY proposed that the North Carolina Sheriffs' Education and Training Standards Commission grant the Petitioner's application for certification and allow the Petitioner's continued employment with the Jones County Sheriff's Office.

**ORDER**

It is hereby ordered that the agency serve a copy of the Final Decision on the Office of Administrative Hearings, P.O. Drawer 27447, Raleigh, N.C. 27611-7447, in accordance with North Carolina General Statutes section 150B-36(b).

**NOTICE**

Before the agency makes the FINAL DECISION, it is required by North Carolina General Statutes section 150B-40(e) to give each party an opportunity to file exceptions to this RECOMMENDED DECISION, and to present written arguments to those in the agency who will make the final decision.

The agency is required by North Carolina General Statutes section 150B-42(a)to serve a copy of the Final Decision on all parties and to furnish a copy to the Parties' attorney of record.

This the 22nd day of December, 1995.

---

Brenda B. Becton  
Administrative Law Judge

**CONTESTED CASE DECISIONS**

---

**STATE OF NORTH CAROLINA**

**COUNTY OF GUILFORD**

**IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS**  
**95 EHR 0311**  
**95 EHR 0437**

---

<b>RICHARD A. JENKINS</b>	)
Petitioner,	)
	)
v.	)
	)
<b>NORTH CAROLINA WATER POLLUTION</b>	)
<b>CONTROL SYSTEMS OPERATORS</b>	)
<b>CERTIFICATION COMMISSION,</b>	)
Respondent.	)

---

**RECOMMENDED DECISION**

The above-entitled consolidated contested cases were heard before Beecher R. Gray, Administrative Law Judge, on October 3, 1995 in High Point, North Carolina. At the conclusion of the evidence, the parties requested and received leave to file Proposed Decisions and written arguments. The parties filed proposals and arguments on November 6, 1995.

**APPEARANCES**

Petitioner: Seth R. Cohen, Esq.  
P.O. Box 990  
Greensboro, North Carolina 27403

Respondent: James P. Longest, Jr.,  
Associate Attorney General  
N.C. Department of Justice  
Raleigh, North Carolina 27602

**ISSUE**

Whether Petitioner, a Certified Wastewater Treatment Plant Operator, made access to the treatment system of the City of Greensboro at some location other than the treatment plant and by this manner disposed of sludge without the City's knowledge and without complying with their policies and requirements.

**PETITIONER'S MOTION FOR SUMMARY JUDGMENT**

At the outset of the hearing, Petitioner moved to renew its Motion for Summary Judgment which previously had been submitted in writing and denied during a telephone conference hearing on July 20, 1995. The written order denying that Motion was filed on July 24, 1995.

The essence of Petitioner's Motion is that Respondent is barred by the doctrine of res judicata from further action against Petitioner's certificate based upon the same facts and circumstances alleged in an earlier certificate action heard by Administrative Law Judge Thomas R. West on October 3, 1994. In a Final Decision in 94 EHR 0424, filed on October 11, 1994, Judge West made the following Findings and Conclusions:

[a]t the beginning of the hearing, Petitioner revisited the issues raised in his Motion for Summary Judgment and moved to dismiss the case for lack of proper notice. Full and complete argument was heard from counsel. The Commission announced that it would be prepared to put on evidence that Petitioner disposed of the sludge into collector lines which led to the treatment plant, thus defrauding Greensboro by introducing sludge into its system without paying fees and having the waste analyzed.

The Administrative Law Judge announced, that, upon consideration of the whole record, he was prepared to conclude that Petitioner had been given notice, at the time the

Commission acted to revoke his permit, that the permit was being revoked for fraudulently bringing sludge into the waste treatment plant, disposing of it there at the plant and not paying a fee or submitting it to analysis. The Administrative Law Judge announced that if the Commission presented evidence on that theory, that the Commission would not necessarily be prevented from taking subsequent action on the two fraud theories expressed after the revocation. The Administrative Law Judge announced that if the Commission did not put on evidence that Petitioner defrauded Greensboro by bringing sludge into the facility and dumping it there without paying a fee or having it analyzed, then this case would be dismissed for failure to prosecute. The Administrative Law Judge told the parties that ruling would be res judicata on the issue noticed, but that the Administrative Law Judge did not consider it to be res judicata on issues not noticed for hearing, i.e., that Petitioner had defrauded Greensboro by disposing of sludge into collector lines or a creek. The Administrative Law Judge noted, and the parties seemed to agree, that illegal dumping of sludge into the receiving waters of the State was not an issue of defrauding the Greensboro treatment facility.

The Commission declined to introduce evidence that Petitioner fraudulently disposed of sludge into the City of Greensboro's treatment facility by bringing sludge to the plant, disposing of it at the plant and failing to pay a fee or have the sludge analyzed.

The Administrative Law Judge concludes, upon consideration of the record as a whole, that that is the basis upon which the Commission sought to revoke Petitioner's certificate and gave notice sufficient to meet the requirements of due process.

Accordingly, the contested case is DISMISSED for Respondent's failure to put on any evidence.

IT IS SO ORDERED. (Emphasis in original).

In the undersigned's Order filed on July 24, 1995, the following Findings and Conclusions were made:

1. since matters outside the pleading are considered, this Motion is treated as one for Summary Judgment under G.S. 1A-1, Rule 56; the parties agreed that each had full opportunity to discover and file supportive material;
2. this Motion seeks to bar Respondent's present certificate revocation action because of the res judicata effect of the decision rendered by Administrative Law Judge Thomas R. West in 94 EHR 424 on October 11, 1994;
3. having considered the Motion, Respondent's response and documents of record, the undersigned concluded, and hereby affirms, that Respondent is barred by the doctrine of res judicata from proceeding on the theory that Petitioner dumped or placed sludge into the Greensboro sewage treatment facility by placing it into the North Buffalo Plant directly; and
4. Respondent is not barred from proceeding on a theory that Petitioner improperly disposed of sludge by dumping or placing it into the Greensboro treatment facility at some point other than directly at the North Buffalo Plant.

For the reasons set forth in Judge West's Final Decision of October 11, 1994 and the undersigned's Order of July 24, 1995, Petitioner's oral motion to renew his earlier Motion for Summary Judgment is hereby DENIED.

**FINDINGS OF FACT**

1. The parties received notice of hearing more than fifteen (15) days prior to the hearing and each stipulated on the record that notice was proper in all respects.
2. The parties stipulated on the record and in a written document at the outset of the hearing that each agreed

to the consolidation of the above-entitled cases for purposes of hearing and decision.

3. Petitioner holds a Grade IV Wastewater Treatment Plant Operator Certificate issued by Respondent. He operates several small wastewater treatment plants in Guilford County as the operator in responsible charge. Petitioner worked for the City of Greensboro for a number of years, leaving in 1979 to go into business for himself.

4. On May 18, 1993, Michael Mickey, an employee of the Division of Environmental Management, Department of Health, Environment, and Natural Resources, visited Petitioner's wastewater treatment plant at Hidden Forest Mobile Home Park to conduct a routine compliance inspection. In such an inspection, Michael Mickey would take samples of treated wastewater to compare the contaminants being discharged against the limits imposed in the wastewater discharge permit for that facility.

5. During Michael Mickey's inspection of the plant, he observed floating solids below the effluent or discharge pipe and sludge deposits on the bottom of the creek into which the plant's discharge flowed. This being an undesirable and unexpected condition, Michael Mickey asked Petitioner about his removal of sludge from the treatment plant. Sludge is a natural by-product of a wastewater treatment plant of this type and must periodically be removed from the plant for disposal in an approved manner.

6. Petitioner stated to Michael Mickey that he was pumping sludge out of the treatment plant twice per month and hauling it in his pumper truck to the City of Greensboro's North Buffalo Treatment Plant for disposal.

7. Of the two (2) wastewater treatment plants operated by the City of Greensboro, only the North Buffalo Plant has a specific facility on-site for acceptance of sewage sludge hauled in by truck. The City issues permits at a cost of \$24 per thousand gallons which a sludge hauler must possess before he is allowed to dump into the North Buffalo Plant. Before a load is dumped into the specific site at the North Buffalo Plant, an operator tests the load for pH and the driver of the pump truck is given a receipt for each load dumped.

8. On May 19, 1993, Michael Mickey went back to Petitioner's Hidden Forest wastewater treatment plant. On this visit, Petitioner told Michael Mickey that he had no record of the sludge dumps into the North Buffalo Treatment Plant.

9. On May 20, 1993, Michael Mickey returned to Petitioner's Hidden Forest Wastewater Treatment Plant and was shown a calendar containing alleged sludge pumping dates from the Hidden Forest Plant by Petitioner. The dates ran from January, 1993 through May, 1993.

10. The North Buffalo Plant has no records of sludge dumps by Petitioner for the period from January, 1993 through May, 1993.

11. Michael Mickey has no personal knowledge that Petitioner has improperly disposed of sludge from the Hidden Forest Wastewater Treatment Plant.

12. As a result of the 1993 inspections by Michael Mickey, the Division of Environmental Management's Water Quality Regional Supervisor, Steve Mauney, issued a show cause order directing Petitioner to appear for a hearing.

13. A hearing was scheduled for June 24, 1993. On June 23, 1993, Petitioner delivered a letter from himself to Steve Mauney in which he gave dates from his calendar upon which he had transported sludge from the Hidden Forest Wastewater Treatment Plant to the North Buffalo Wastewater Treatment Plant.

14. Steve Mauney talked to Petitioner by telephone on July 24, 1993. Petitioner stated that it was possible to lose three thousand (3,000) gallons of sludge in a twenty thousand (20,000) gallon plant. He further stated that he had hauled sludge from the Hidden Forest Plant to three (3) other wastewater plants he was operating.

15. During a telephone call between Steve Mauney and Petitioner in July, 1993, Petitioner stated that his lack of receipts from the North Buffalo Plant did not indicate that he had not dumped sludge there.

16. Petitioner attended a show cause hearing on July 30, 1993 at which he reaffirmed that he had hauled "seed sludge" from Hidden Forest to three (3) other plants he operated at a rate of approximately three thousand (3,000) gallons

per trip. The proper location to place sludge in a wastewater treatment plant is into the aeration basin. Petitioner stated that he placed the "seed sludge" he hauled into the digester at the wastewater treatment plant or plants which he seeded.

17. Petitioner holds a land application sludge disposal permit which enables him to dispose of sludge by land application without going through the North Buffalo Plant.

18. Steve Mauney has no personal knowledge of any improper sludge disposal by Petitioner.

19. Martha Groom is the Lab and Industrial Waste Supervisor for the City of Greensboro. She checked the records of the North Buffalo Plant and could find no record of sludge brought into the plant by Petitioner during the period from January, 1993 through May, 1993. She conducted an internal investigation to determine whether someone had assisted Petitioner in making unpermitted sludge dumps into the North Buffalo Plant. No such person or persons were discovered.

20. In a meeting in 1994 attended by Petitioner and Supervisor Groom, Petitioner stated that the people in the Greensboro System who had helped him would not come forward and that they had helped him because his truck was broken. In the week following this meeting, Petitioner approached Supervisor Groom at the North Buffalo Plant and told her that both she and the State misunderstood; that he never had said that his helper in the Greensboro System was at the North Buffalo Plant.

21. The Greensboro Sewage Treatment System contains approximately 20,000 manholes and approximately 1,700 miles of mainline. If Petitioner dumped sludge into one of these manholes or into a carwash drain, it eventually would travel to one of the Greensboro wastewater treatment plants.

22. North Carolina General Statute Section 90A-41 provides that:

The Commission, in accordance with the procedure set forth in Chapter 150B of the General Statutes, may suspend or revoke a certificate or may issue a written reprimand to an operator if it finds that the operator has practiced fraud or deception; that reasonable care, judgment, or the application of his knowledge or ability was not used in the performance of his duties; or that the operator is incompetent or unable to properly perform his duties.

N.C. Gen. Stat. 90A-41 (1992).

### **CONCLUSIONS OF LAW**

Based upon the foregoing Findings of Fact, I make the following Conclusions of Law.

1. The parties are properly before the Office of Administrative Hearings.

2. During the events leading up to this disciplinary action, Petitioner made hearsay statements to various regulatory officials, admitted into the evidence in this contested case hearing as admissions of a party opponent, that he had hauled and disposed of approximately 3,000 gallons of sludge once or twice per month to the North Buffalo Plant and, inconsistently, made statements that he had used that sludge to seed other wastewater treatment plants under his care. Such inconsistent statements to regulatory officials about the ultimate disposal of sludge constitute the practice of deception, within the meaning of G.S. 90A-41.

3. Respondent, however, has not given Petitioner notice of its intent to prove deception on his part in the performance of his duties; its notice of revocation gave him notice only that the Commission intended to prove that he had made access to the treatment system of the City of Greensboro at some location other than the treatment plant.

4. Respondent has not demonstrated by a preponderance of substantial evidence that Petitioner made access to the treatment system of the City of Greensboro at some location other than the treatment plant. Although the evidence would support a finding of deception by Petitioner, he has not been afforded the due process requirements of notice and opportunity to be heard on that issue and the revocation notice has not been amended to conform the notice with the evidence presented.

### **RECOMMENDED DECISION**

***CONTESTED CASE DECISIONS***

---

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby recommended that Respondent reverse its decision to revoke Petitioner's wastewater treatment plant operator's certificate as not supported by the evidence.

**ORDER**

It is hereby ordered that the agency serve a copy of the final decision on the Office of Administrative Hearings, P.O. Drawer 27447, Raleigh, N.C. 27611-7447, in accordance with North Carolina General Statute 150B-36(b).

**NOTICE**

The agency making the final decision in this contested case is required to give each party an opportunity to file exceptions to this recommended decision and to present written arguments to those in the agency who will make the final decision. G.S. 150B-36(a).

The agency is required by G.S. 150B-36(b) to serve a copy of the final decision on all parties and to furnish a copy to the parties' attorney of record and to the Office of Administrative Hearings.

The agency that will make the final decision in this contested case is the North Carolina Water Pollution Control System Operators Certification Commission.

This the 19th day of December, 1995.

---

Beecher R. Gray  
Administrative Law Judge

The North Carolina Administrative Code (NCAC) has four major subdivisions of rules. Two of these, titles and chapters, are mandatory. The major subdivision of the NCAC is the title. Each major department in the North Carolina executive branch of government has been assigned a title number. Titles are further broken down into chapters which shall be numerical in order. The other two, subchapters and sections are optional subdivisions to be used by agencies when appropriate.

## TITLE/MAJOR DIVISIONS OF THE NORTH CAROLINA ADMINISTRATIVE CODE

TITLE	DEPARTMENT	LICENSING BOARDS	CHAPTER
1	Administration	Acupuncture	1
2	Agriculture	Architecture	2
3	Auditor	Auctioneers	4
4	Commerce	Barber Examiners	6
5	Correction	Certified Public Accountant Examiners	8
6	Council of State	Chiropractic Examiners	10
7	Cultural Resources	General Contractors	12
8	Elections	Cosmetic Art Examiners	14
9	Governor	Dental Examiners	16
10	Human Resources	Dietetics/Nutrition	17
11	Insurance	Electrical Contractors	18
12	Justice	Electrolysis	19
13	Labor	Foresters	20
14A	Crime Control & Public Safety	Geologists	21
15A	Environment, Health, and Natural Resources	Hearing Aid Dealers and Fitters	22
16	Public Education	Landscape Architects	26
17	Revenue	Landscape Contractors	28
18	Secretary of State	Marital and Family Therapy	31
19A	Transportation	Medical Examiners	32
20	Treasurer	Midwifery Joint Committee	33
*21	Occupational Licensing Boards	Mortuary Science	34
22	Administrative Procedures	Nursing	36
23	Community Colleges	Nursing Home Administrators	37
24	Independent Agencies	Occupational Therapists	38
25	State Personnel	Opticians	40
26	Administrative Hearings	Optometry	42
27	NC State Bar	Osteopathic Examination & Reg. (Repealed)	44
		Pastoral Counselors, Fee-Based Practicing	45
		Pharmacy	46
		Physical Therapy Examiners	48
		Plumbing, Heating & Fire Sprinkler Contractors	50
		Podiatry Examiners	52
		Professional Counselors	53
		Practicing Psychologists	54
		Professional Engineers & Land Surveyors	56
		Real Estate Appraisal Board	57
		Real Estate Commission	58
		Refrigeration Examiners	60
		Sanitarian Examiners	62
		Social Work Certification	63
		Soil Scientists	69
		Speech & Language Pathologists & Audiologists	64
		Substance Abuse Professionals	68
		Therapeutic Recreation Certification	65
		Veterinary Medical Board	66

Note: Title 21 contains the chapters of the various occupational licensing boards.

**CUMULATIVE INDEX**

Agency/Rule Citation	Proposed in Register	Proposed Effective Date	Fiscal Note		Effective Date	Other Information
			State	Local		

**ACUPUNCTURE LICENSING BOARD**

21 NCAC 01 .0101	10:02 NCR 150	07/01/95	08/01/95
.0201	10:07 NCR 585	10/01/95	12/01/95
.0401 - .0402	10:02 NCR 150	07/01/95	08/01/95
.0501	10:07 NCR 585	10/01/95	12/01/95
.0701	10:07 NCR 585	10/01/95	12/01/95
.0702 - .0704	10:16 NCR 2027	02/01/96	
.0705	10:17 NCR 2228		Rule-Making Proceeding
.0706 - .0707	10:16 NCR 2027	02/01/96	
.0709	10:17 NCR 2228		Rule-Making Proceeding
.0710 - .0711	10:16 NCR 2027	02/01/96	

**ADMINISTRATION**

1 NCAC 05A .0001 - .0002	10:16 NCR 1651	02/01/96
.0004	10:16 NCR 1651	02/01/96
.0009 - .0010	10:16 NCR 1651	02/01/96
.0012	10:16 NCR 1651	02/01/96
05B .0101 - .0103	10:16 NCR 1651	02/01/96
.0201	10:16 NCR 1651	02/01/96
.0203 - .0204	10:16 NCR 1651	02/01/96
.0206 - .0210	10:16 NCR 1651	02/01/96
.0301 - .0314	10:16 NCR 1651	02/01/96
.0401 - .0404	10:16 NCR 1651	02/01/96
.0501 - .0503	10:16 NCR 1651	02/01/96
.0601 - .0602	10:16 NCR 1651	02/01/96
.0701 - .0702	10:16 NCR 1651	02/01/96
.0801 - .0808	10:16 NCR 1651	02/01/96
.0810	10:16 NCR 1651	02/01/96
.0901 - .0902	10:16 NCR 1651	02/01/96
.0904 - .0906	10:16 NCR 1651	02/01/96
.1001 - .1003	10:16 NCR 1651	02/01/96
.1101	10:16 NCR 1651	02/01/96
.1103 - .1104	10:16 NCR 1651	02/01/96
.1106	10:16 NCR 1651	02/01/96
.1108	10:16 NCR 1651	02/01/96
.1201 - .1202	10:16 NCR 1651	02/01/96
.1301 - .1302	10:16 NCR 1651	02/01/96
.1401 - .1403	10:16 NCR 1651	02/01/96
.1501 - .1513	10:16 NCR 1651	02/01/96
.1516 - .1521	10:16 NCR 1651	02/01/96
.1601 - .1603	10:16 NCR 1651	02/01/96
.1701 - .1703	10:16 NCR 1651	02/01/96
.1801 - .1804	10:16 NCR 1651	02/01/96
.1901	10:16 NCR 1651	02/01/96
.1903	10:16 NCR 1651	02/01/96
.1906 - .1907	10:16 NCR 1651	02/01/96
.1909	10:16 NCR 1651	02/01/96
05C .0601 - .0602	10:16 NCR 1651	02/01/96
.0701 - .0704	10:16 NCR 1651	02/01/96
.0708	10:16 NCR 1651	02/01/96
.0711	10:16 NCR 1651	02/01/96
.0717 - .0718	10:16 NCR 1651	02/01/96
.0720	10:16 NCR 1651	02/01/96
.0722	10:16 NCR 1651	02/01/96
.0803 - .0804	10:16 NCR 1651	02/01/96
.0903	10:16 NCR 1651	02/01/96
.1008 - .1009	10:16 NCR 1651	02/01/96
05D .0101 - .0102	10:16 NCR 1651	02/01/96
.0201 - .0206	10:16 NCR 1651	02/01/96
.0208 - .0210	10:16 NCR 1651	02/01/96
.0301 - .0303	10:16 NCR 1651	02/01/96
.0401 - .0403	10:16 NCR 1651	02/01/96

**CUMULATIVE INDEX**

Agency/Rule Citation	Proposed in Register	Proposed Effective Date	Fiscal Note		Effective Date	Other Information
			State	Local		
39 .0501 - .0509	10:16 NCR 1651	02/01/96				
39 .0101	10:16 NCR 1672	02/01/96				
39 .0201	10:16 NCR 1672	02/01/96				
<b>ADMINISTRATIVE HEARINGS</b>						
26 NCAC 02A .0101 - .0102	10:16 NCR 2160	02/01/96				
.0201 - .0212	10:16 NCR 2160	02/01/96				
.0301	10:16 NCR 2160	02/01/96				
.0303	10:16 NCR 2160	02/01/96				
.0401 - .0406	10:16 NCR 2160	02/01/96				
.0501 - .0507	10:16 NCR 2160	02/01/96				
02B .0101	10:16 NCR 2160	02/01/96				
.0103 - .0104	10:16 NCR 2160	02/01/96				
.0201 - .0204	10:16 NCR 2160	02/01/96				
.0301 - .0304	10:16 NCR 2160	02/01/96				
.0401	10:16 NCR 2160	02/01/96				
02C .0101 - .0109	10:16 NCR 2160	02/01/96				
.0201 - .0206	10:16 NCR 2160	02/01/96				
.0301 - .0305	10:16 NCR 2160	02/01/96				
.0401 - .0409	10:16 NCR 2160	02/01/96				
.0501 - .0503	10:16 NCR 2160	02/01/96				
<b>AGRICULTURE</b>						
2 NCAC 09L .1806	10:16 NCR 1674	03/01/96				
34 .0904	10:04 NCR 228	08/01/95			N/A	
.0904	10:07 NCR 430	11/01/95			11/01/95	Renoticed in 10:7
48A .1702	10:15 NCR 1432	02/01/96				
48C .0029	10:15 NCR 1432	02/01/96				
52B .0207	10:15 NCR 1432	02/01/96				
.0212	10:15 NCR 1432	02/01/96				
.0302	10:15 NCR 1432	02/01/96				
52C .0105	10:15 NCR 1432	02/01/96				
<b>ARCHITECTURE</b>						
21 NCAC 02 .0208	10:12 NCR 985	12/01/95			12/01/95	
02 .0301 - .0302	10:10 NCR 829	07/01/96			07/01/96	
<b>AUCTIONEERS</b>						
21 NCAC 04B .0103	10:16 NCR 2028	03/01/96				
.0201 - .0202	10:16 NCR 2028	03/01/96				
.0403	10:16 NCR 2028	03/01/96				
.0505	10:16 NCR 2028	03/01/96				
.0601 - .0602	10:16 NCR 2028	03/01/96				
<b>BARBER EXAMINERS</b>						
21 NCAC 06H .0002	10:16 NCR 2033	02/01/96				
06J .0002	10:16 NCR 2033	02/01/96				
06K .0003	10:16 NCR 2033	02/01/96				
<b>CERTIFIED PUBLIC ACCOUNTANT EXAMINERS</b>						
21 NCAC 08A .0301	10:16 NCR 2033	02/01/96				
08F .0103	10:16 NCR 2033	02/01/96				
.0105	10:04 NCR 255	08/01/95			08/01/95	
.0113	10:04 NCR 255	08/01/95			08/01/95	
08G .0401	10:04 NCR 255	08/01/95			08/01/95	
.0404	10:16 NCR 2033	02/01/96				
.0409	10:16 NCR 2033	02/01/96				
08I .0004	10:16 NCR 2033	02/01/96				
08J .0001	10:16 NCR 2033	02/01/96				
.0005	10:04 NCR 255	08/01/95			08/01/95	
.0006	10:16 NCR 2033	02/01/96				
.0008	10:04 NCR 255	08/01/95			08/01/95	
08M .0102	10:04 NCR 255	08/01/95			N/A	RRC Obj./Rule Withdrawn

**CUMULATIVE INDEX**

Agency/Rule Citation	Proposed in Register	Proposed Effective Date	Fiscal Note		Effective Date	Other Information
			State	Local		
.0102 - .0103	10:16 NCR 2033	02/01/96				
.0104	10:04 NCR 255	08/01/95			08/01/95	
.0206 - .0207	10:16 NCR 2033	02/01/96				
.0304	10:16 NCR 2033	02/01/96				
.0306	10:04 NCR 255	08/01/95			08/01/95	
.0401	10:04 NCR 255	08/01/95			08/01/95	
.0401 - .0402	10:16 NCR 2033	02/01/96				
08N .0203	10:04 NCR 255	08/01/95			08/01/95	
.0302	10:04 NCR 255	08/01/95			08/01/95	
.0306	10:16 NCR 2033	02/01/96				
.0307	10:04 NCR 255	08/01/95			08/01/95	
<b>CHIROPRACTIC EXAMINERS</b>						
21 NCAC 10 .0203	10:04 NCR 261	08/01/95			08/01/95	
<b>COMMERCE</b>						
4 NCAC 02R .0303	10:16 NCR 1675	06/01/96				
.0305	10:16 NCR 1675	06/01/96				
.1708	10:16 NCR 1675	06/01/96				
.1710	10:16 NCR 1675	06/01/96				
.1801 - .1802	10:16 NCR 1675	06/01/96				
02S .0102 - .0103	10:16 NCR 1675	06/01/96				
.0105 - .0106	10:16 NCR 1675	06/01/96				
.0109	10:16 NCR 1675	06/01/96				
.0209	10:16 NCR 1675	06/01/96				
.0228	10:16 NCR 1675	06/01/96				
.0234 - .0235	10:16 NCR 1675	06/01/96				
.0402 - .0404	10:16 NCR 1675	06/01/96				
.0511 - .0513	10:16 NCR 1675	06/01/96				
.0516	10:16 NCR 1675	06/01/96				
.0519	10:16 NCR 1675	06/01/96				
.0525	10:16 NCR 1675	06/01/96				
.0614	10:16 NCR 1675	06/01/96				
.0708	10:16 NCR 1675	06/01/96				
.0901 - .0904	10:16 NCR 1675	06/01/96				
.1005	10:16 NCR 1675	06/01/96				
.1008	10:16 NCR 1675	06/01/96				
.1011	10:16 NCR 1675	06/01/96				
.1021	10:16 NCR 1675	06/01/96				
02T .0101 - .0102	10:16 NCR 1675	06/01/96				
.0201 - .0202	10:16 NCR 1675	06/01/96				
.0206	10:16 NCR 1675	06/01/96				
.0301 - .0305	10:16 NCR 1675	06/01/96				
.0308 - .0309	10:16 NCR 1675	06/01/96				
.0409 - .0411	10:16 NCR 1675	06/01/96				
.0502	10:16 NCR 1675	06/01/96				
.0601 - .0602	10:16 NCR 1675	06/01/96				
.0604	10:16 NCR 1675	06/01/96				
.0606	10:16 NCR 1675	06/01/96				
.0707 - .0709	10:16 NCR 1675	06/01/96				
.0711	10:16 NCR 1675	06/01/96				
.1104 - .1108	10:16 NCR 1675	06/01/96				
06C .0203	10:05 NCR 300	09/01/95				
.0205	10:18 NCR 2398					Rule-Making Proceeding
.0407	10:18 NCR 2398					Rule-Making Proceeding
.0409	10:18 NCR 2398					Rule-Making Proceeding
10	10:15 NCR 1428					Public Notice
19L .0401	10:16 NCR 1698	02/01/96				
.0403	10:16 NCR 1698	02/01/96				
.0407	10:16 NCR 1698	02/01/96				
.0501 - .0502	10:16 NCR 1698	02/01/96				
.0505	10:16 NCR 1698	02/01/96				
.0802	10:16 NCR 1698	02/01/96				

**CUMULATIVE INDEX**

Agency/Rule Citation	Proposed in Register	Proposed Effective Date	Fiscal Note		Effective Date	Other Information
			State	Local		
.0805	10:16 NCR 1698	02/01/96				
.0901	10:16 NCR 1698	02/01/96				
.0906 - .0907	10:16 NCR 1698	02/01/96				
.0911	10:16 NCR 1698	02/01/96				
.1002	10:16 NCR 1698	02/01/96				
.1004	10:16 NCR 1698	02/01/96				
.1009	10:16 NCR 1698	02/01/96				
.1301 - .1303	10:16 NCR 1698	02/01/96				
.1701 - .1703	10:16 NCR 1698	02/01/96				
.1801 - .1803	10:16 NCR 1698	02/01/96				
<b>COMMUNITY COLLEGES</b>						
23 NCAC 02C .0108	10:03 NCR 208	09/01/95			12/01/95	
.0210	10:07 NCR 587	01/01/96			01/01/96	
.0211	10:03 NCR 208	09/01/95			12/01/95	
.0301	10:07 NCR 587	01/01/96			01/01/96	
.0306	10:03 NCR 208	09/01/95			12/01/95	
02E .0403	10:07 NCR 587	01/01/96			01/01/96	
<b>CORRECTION</b>						
5 NCAC 05 .0001	10:01 NCR 12	07/01/95			07/01/95	
<b>COSMETIC ART EXAMINERS</b>						
21 NCAC 14B .0604	10:12 NCR 985	12/01/95				
14J .0502	10:14 NCR 1380	01/01/96			01/01/96	
14L .0301 - .0302	10:14 NCR 1380	01/01/96			01/01/96	
14N .0106 - .0108	10:14 NCR 1380	01/01/96			01/01/96	
.0112	10:14 NCR 1380	01/01/96			01/01/96	
<b>CULTURAL RESOURCES</b>						
7 NCAC 02F .0002	10:01 NCR 12	07/01/95			08/01/95	
05 .0200	10:18 NCR 2398					Rule-Making Proceeding
<b>DIETETICS/NUTRITION</b>						
21 NCAC 17 .0101 - .0102	10:16 NCR 2046	02/01/96				
.0104	10:16 NCR 2046	02/01/96				
.0107	10:16 NCR 2046	02/01/96				
.0113 - .0114	10:16 NCR 2046	02/01/96				
.0301 - .0304	10:16 NCR 2046	02/01/96				
.0401 - .0402	10:16 NCR 2046	02/01/96				
<b>DENTAL EXAMINERS</b>						
21 NCAC 16 .0104	10:16 NCR 2043	05/01/96				Notice on Subject Matter
21 NCAC 16H .0104	10:16 NCR 2043	05/01/96				
.0202 - .0203	10:16 NCR 2043	05/01/96				
16T .0001 - .0002	10:16 NCR 2043	05/01/96				
16U .0101 - .0102	10:16 NCR 2043	05/01/96				
.0201 - .0204	10:16 NCR 2043	05/01/96				
<b>ELECTRICAL CONTRACTORS</b>						
21 NCAC 18B .0103	10:15 NCR 1579	02/01/96				
.0207	10:15 NCR 1579	02/01/96				
.0303	10:15 NCR 1579	02/01/96				
.0402	10:15 NCR 1579	02/01/96				
.0601	10:15 NCR 1579	02/01/96				
.0902 - .0903	10:15 NCR 1579	02/01/96				
.0905	10:15 NCR 1579	02/01/96				
<b>ELECTROLYSIS EXAMINERS</b>						
21 NCAC 19 .0104	10:11 NCR 907	12/01/95			12/01/95	
.0204	10:11 NCR 907	12/01/95			12/01/95	
.0616	10:11 NCR 907	12/01/95			12/01/95	

**CUMULATIVE INDEX**

Agency/Rule Citation	Proposed in Register	Proposed Effective Date	Fiscal Note		Effective Date	Other Information
			State	Local		

**ENVIRONMENT, HEALTH, AND NATURAL RESOURCES**

15A NCAC 01	10:18 NCR 2317					Rule-Making Agenda
01C .0101	10:16 NCR 1828	02/01/96				
.0503 - .0504	10:16 NCR 1828	02/01/96				
01K	10:19 NCR 2506					Rule-Making Proceeding
02	10:18 NCR 2316					Public Notice/303(d) list
02	10:18 NCR 2317					Rule-Making Agenda
02B .0101	10:01 NCR 13					Correction to Notice
.0104	10:01 NCR 13					Correction to Notice
.0202	10:01 NCR 13					Correction to Notice
.0211	10:01 NCR 13					Correction to Notice
.0216	10:16 NCR 1838	02/01/96				
.0224 - .0225	10:16 NCR 1838	02/01/96				
.0224	10:18 NCR 2400					Rule-Making Proceeding
.0227	10:18 NCR 2400					Rule-Making Proceeding
.0301	10:01 NCR 13					Correction to Notice
.0303	10:08 NCR 661	11/01/95				
.0303	10:18 NCR 2400					Rule-Making Proceeding
.0304	10:04 NCR 246	01/01/96			01/01/96	
.0304	10:05 NCR 301	11/01/95			11/01/95	
.0304	10:15 NCR 1515	04/01/96	x			
.0304	10:16 NCR 1846	05/01/96	x			
.0308 - .0310	10:08 NCR 661	11/01/95				
.0308	10:08 NCR 661	02/01/96				
.0313	10:11 NCR 901	02/01/96				
.0315 - .0316	10:08 NCR 661	11/01/95				
.0315	10:08 NCR 661	02/01/96				
.0315	10:16 NCR 1835	05/01/96				
.0316	10:04 NCR 246	01/01/96			01/01/96	
02C .0201 - .0216	10:16 NCR 1848	05/01/96				
02D .0101	10:16 NCR 1867	05/01/96				
.0501	10:16 NCR 1867	05/01/96				
.0516	10:16 NCR 1867	05/01/96				
.0518 - .0519	10:16 NCR 1867	05/01/96				
.0520	10:01 NCR 13	07/01/95	x	x		
.0520	10:16 NCR 1867	05/01/96				
.0521	10:16 NCR 1867	05/01/96				
.0524 - ..0525	10:16 NCR 1867	05/01/96				
.0531	10:01 NCR 13	07/01/95	x	x	07/01/95	
.0531	10:15 NCR 1520	04/01/96				
.0533	10:16 NCR 1867	05/01/96				
.0535	10:16 NCR 1867	05/01/96				
.0537	10:16 NCR 1867	05/01/96				
.0539	10:16 NCR 1867	05/01/96				
.0601	10:16 NCR 1867	05/01/96				
.0604	10:16 NCR 1867	05/01/96				
.0608	10:16 NCR 1867	05/01/96				
.0804 - .0805	10:15 NCR 1520	04/01/96	x			
.0901	10:15 NCR 1520	04/01/96				
.0902	10:01 NCR 13	07/01/95	x	x	07/01/95	
.0902	10:16 NCR 1867	05/01/96				
.0909	10:01 NCR 13	07/01/95	x	x	07/01/95	
.0917 - .0924	10:15 NCR 1520	04/01/96				
.0926 - .0928	10:15 NCR 1520	04/01/96				
.0929	10:16 NCR 1867	05/01/96				
.0934 - .0935	10:15 NCR 1520	04/01/96				
.0937	10:15 NCR 1520	04/01/96				
.0951	10:15 NCR 1520	04/01/96				
.0952	10:01 NCR 13	07/01/95	x	x	07/01/95	
.0953 - .0954	10:15 NCR 1520	04/01/96				
.1109 - .1111	10:16 NCR 1867	05/01/96				
.1202	10:16 NCR 1867	05/01/96				
.1204 - .1206	10:16 NCR 1867	05/01/96				

**CUMULATIVE INDEX**

Agency/Rule Citation	Proposed in Register	Proposed Effective Date	Fiscal Note		Effective Date	Other Information
			State	Local		
.1301 - .1302	10:15 NCR 1520	04/01/96				
.1304	10:15 NCR 1520	04/01/96				
.1402	10:01 NCR 13	07/01/95	x	x	07/01/95	
.1406	10:01 NCR 13	07/01/95	x	x		
.1409	10:01 NCR 13	07/01/95	x	x		
.1701 - .1702	10:01 NCR 13	07/01/95	x	x		
.1801 - .1803	10:01 NCR 13	07/01/95	x	x		
.1901 - .1906	10:16 NCR 1867	05/01/96		x		
02H .0219	10:14 NCR 1325	05/01/96				
.0610	10:16 NCR 1867	05/01/96				
02L .0106	10:19 NCR 2508				01/02/96	Temporary Amendment Eff. 1/2/96
.0202	10:20 NCR 2591					Rule-Making Proceeding
02P .0402	10:19 NCR 2512				01/02/96	Temporary Amendment Eff. 1/2/96
02Q .0102	10:16 NCR 1867	05/01/96				
.0103	10:16 NCR 1867	05/01/96	x	x		
.0109	10:16 NCR 1867	05/01/96				
.0201 - .0204	10:16 NCR 1867	05/01/96				
.0207	10:16 NCR 1867	05/01/96				
.0302	10:16 NCR 1867	05/01/96				
.0311	10:16 NCR 1867	05/01/96				
.0401 - .0418	10:15 NCR 1520	04/01/96				
.0501 - .0503	10:16 NCR 1867	05/01/96				
.0507 - .0508	10:16 NCR 1867	05/01/96				
.0526	10:16 NCR 1867	05/01/96				
03	10:15 NCR 1515	03/01/96				Notice on Subject Matter
03	10:18 NCR 2317					Rule-Making Agenda
03I .0001	10:14 NCR 1336	03/01/96				
.0005	10:14 NCR 1336	03/01/96				
.0018	10:14 NCR 1336	03/01/96				
03J .0103 - .0104	10:14 NCR 1336	03/01/96				
.0107	10:14 NCR 1336	03/01/96	x			
.0202	10:14 NCR 1336	03/01/96				
.0301	10:14 NCR 1336	03/01/96				
.0401	10:14 NCR 1336	03/01/96				
.0402	10:14 NCR 1336	03/01/96				
.0403	10:15 NCR 1515	03/01/96				
03K .0104 - .0105	10:14 NCR 1336	03/01/96				
.0201 - .0202	10:14 NCR 1336	03/01/96				
03L .0301 - .0302	10:14 NCR 1336	03/01/96				
03M .0202	10:14 NCR 1336	03/01/96				
.0204	10:14 NCR 1336	03/01/96				
.0301	10:14 NCR 1336	03/01/96				
.0501	10:14 NCR 1336	03/01/96				
.0503 - .0504	10:14 NCR 1336	03/01/96				
.0506 - .0507	10:14 NCR 1336	03/01/96				
.0510 - .0511	10:14 NCR 1336	03/01/96				
.0512	10:14 NCR 1336	03/01/96				
03R .0003 - .0005	10:14 NCR 1336	03/01/96				
.0007	10:14 NCR 1336	03/01/96				
.0011	10:14 NCR 1336	03/01/96				
NPDES Permit	10:02 NCR 56					
04A .0001	10:07 NCR 579	10/01/95			10/01/95	
.0005	10:07 NCR 579	10/01/95			10/01/95	
04B .0016	10:07 NCR 579	10/01/95			10/01/95	
.0020	10:07 NCR 579	10/01/95			10/01/95	
.0028	10:02 NCR 149	07/01/95			08/01/95	
.0029 - .0030	10:07 NCR 579	10/01/95			10/01/95	
04C .0007 - .0008	10:07 NCR 579	10/01/95			10/01/95	
.0010	10:07 NCR 579	10/01/95			10/01/95	
04D .0002 - .0003	10:07 NCR 579	10/01/95			10/01/95	
07	10:18 NCR 2317					Rule-Making Agenda
07B .0101	10:09 NCR 751	12/01/95	x	x		
.0201	10:09 NCR 751	12/01/95	x	x		

**CUMULATIVE INDEX**

Agency/Rule Citation	Proposed in Register	Proposed Effective Date	Fiscal Note		Effective Date	Other Information
			State	Local		
.0202 - .0203	10:09 NCR 751	12/01/95	x	x	01/01/96	
.0204	10:09 NCR 751	12/01/95	x	x		
.0205	10:09 NCR 751	12/01/95	x	x	01/01/96	
.0206 - .0207	10:09 NCR 751	12/01/95	x	x		
.0208 - .0209	10:09 NCR 751	12/01/95	x	x	01/01/96	
.0210 - .0213	10:09 NCR 751	12/01/95	x	x		
.0214	10:09 NCR 751	12/01/95	x	x	01/01/96	
.0215	10:09 NCR 751	12/01/95	x	x		
.0216	10:09 NCR 751	12/01/95	x	x	01/01/96	
.0401 - .0402	10:09 NCR 751	12/01/95	x	x		
.0403 - .0406	10:09 NCR 751	12/01/95	x	x	01/01/96	
.0501	10:09 NCR 751	12/01/95	x	x		
.0502 - .0507	10:09 NCR 751	12/01/95	x	x	01/01/96	
07H .0106	10:16 NCR 1921	04/01/96				Notice on Subject Matter
.0208	10:03 NCR 197	12/01/95				
.0208	10:15 NCR 1552	03/01/96				
.0305	10:15 NCR 1552	03/01/96				
.0308	10:09 NCR 751	12/01/95				
.0308	10:15 NCR 1921	03/01/96				
.0309 - .0310	10:09 NCR 751	02/01/96				
.1705	10:09 NCR 751	12/01/95				
.2201 - .2202	10:03 NCR 204	12/01/95				
.2203	10:03 NCR 204	12/01/95	x			
.2204 - .2205	10:03 NCR 204	12/01/95				
.2301 - .2305	10:15 NCR 1552	03/01/96				
07K .0103	10:09 NCR 751	12/01/95				
07L	10:16 NCR 1921	04/01/96				Notice of Subject Matter
07M .0300	10:16 NCR 1921	04/01/96				Notice of Subject Matter
.0300	10:19 NCR 2480					Change in Location of Hearings
.0400	10:16 NCR 1921	02/01/97				Notice of Subject Matter
10B .0115	10:06 NCR 338	10/01/95			11/01/95	
.0115 - .0116	10:16 NCR 1922	07/01/96				
.0201 - .0203	10:16 NCR 1923	07/01/96				
.0202 - .0203	10:01 NCR 26	07/01/95			07/01/95	
.0202	10:04 NCR 249	08/01/95			09/01/95	
.0208 - .0209	10:16 NCR 1923	07/01/96				
.0214	10:01 NCR 26	07/01/95			07/01/95	
.0214	10:16 NCR 1923	07/01/96				
.0220	10:16 NCR 1923	07/01/96				
.0302 - .0303	10:16 NCR 1923	07/01/96				
10C .0205	10:16 NCR 1923	07/01/96				
.0301 - .0302	10:16 NCR 1923	07/01/96				
.0305	10:16 NCR 1923	07/01/96				
.0401	10:16 NCR 1923	07/01/96				
.0404	10:06 NCR 338	12/01/95			12/01/95	
.0404	10:16 NCR 1923	07/01/96				
.0407	10:06 NCR 338	12/01/95			12/01/95	
.0407	10:16 NCR 1923	07/01/96				
10D .0002 - .0003	10:01 NCR 26	07/01/95			07/01/95	
.0002 - .0004	10:16 NCR 1923	07/01/96				
.0003	10:04 NCR 250	08/01/95			09/01/95	
.0003	10:06 NCR 338	09/01/95				
10F .0100	10:19 NCR 2506					Rule-Making Proceeding
.0313	10:06 NCR 338	10/01/95			10/01/95	
.0317	10:01 NCR 26	07/01/95			07/01/95	
.0323 - .0324	10:11 NCR 904	12/01/95			12/01/95	
.0339	10:13 NCR 1159	02/01/96				
.0339	10:15 NCR 1565	02/01/96				
.0360	10:13 NCR 1159	02/01/96				
10K .0003	10:13 NCR 1159	02/01/96				
Wildlife Proclamation/Striped Bass	10:02 NCR 57	04/10/95				
	10:03 NCR 195	04/15/95				
11	10:18 NCR 2317					Rule-Making Agenda

**CUMULATIVE INDEX**

Agency/Rule Citation	Proposed in Register	Proposed Effective Date	Fiscal Note		Effective Date	Other Information
			State	Local		
	.0349	10:16 NCR 1958	05/01/96			
12		10:18 NCR 2317				Rule-Making Agenda
13		10:18 NCR 2317				Rule-Making Agenda
13A .0006	10:13 NCR 1160	01/01/96			01/01/96	
.0019	10:13 NCR 1160	01/01/96			01/01/96	
13B .0101	10:06 NCR 350	10/01/95			10/01/95	
.0103	10:06 NCR 350	10/01/95			10/01/95	
.0503	10:06 NCR 350	10/01/95			10/01/95	
.0802 - .0829	10:06 NCR 350	10/01/95			10/01/95	
.0901 - .0905	10:16 NCR 1959	04/01/96				
.1401 - .1409	10:16 NCR 1959	04/01/96				
.1627	10:06 NCR 350	10/01/95			N/A	Agency Did Not Adopt Rule-Making Agenda
16		10:18 NCR 2317				
16A .1001 -.1005	10:07 NCR 582	01/01/96	x		01/01/96	
.1006	10:07 NCR 582	01/01/96				
18		10:18 NCR 2317				Rule-Making Agenda
18A .1720	10:16 NCR 1977	04/01/96				
.1722 - .1723	10:16 NCR 1977	04/01/96				
.1725 - .1727	10:16 NCR 1977	04/01/96				
.1801 - .1814	10:13 NCR 1160	01/01/96			01/01/96	
.1818	10:13 NCR 1160	01/01/96			01/01/96	
.2508	10:06 NCR 350	01/01/96			01/01/96	
.2509	10:06 NCR 350	01/01/96				RRC Obj/Rule Withdrawn
.2510 - .2511	10:06 NCR 350	01/01/96			01/01/96	
.2516 - .2519	10:06 NCR 350	01/01/96			01/01/96	
.2521 - .2524	10:06 NCR 350	01/01/96			01/01/96	
.2526	10:06 NCR 350	01/01/96			01/01/96	
.2528 - .2535	10:06 NCR 350	01/01/96			01/01/96	
.2537	10:06 NCR 350	01/01/96			01/01/96	
.2540 - .2542	10:06 NCR 350	01/01/96			01/01/96	
.2543	10:06 NCR 350	01/01/96			N/A	Agency Did Not Adopt
.2601 - .2602	10:13 NCR 1160	01/01/96			01/01/96	
.2618	10:13 NCR 1160	01/01/96			01/01/96	
.2624	10:13 NCR 1160	01/01/96			01/01/96	
.2632	10:13 NCR 1160	01/01/96			01/01/96	
.2635 - .2636	10:13 NCR 1160	01/01/96			01/01/96	
.2702	10:16 NCR 1977	04/01/96				
.3101 - .3106	10:16 NCR 1977	04/01/96				
19		10:18 NCR 2317				Rule-Making Agenda
19A .0401	10:06 NCR 350	10/01/95			10/01/95	
.0406	10:06 NCR 350	10/01/95			10/01/95	
.0502	10:06 NCR 350	10/01/95			10/01/95	
19C .0206	10:05 NCR 305	10/01/95	x			
.0601 - .0603	10:16 NCR 1977	04/01/96				
.0605 - .0609	10:16 NCR 1977	04/01/96				
.0611	10:16 NCR 1977	04/01/96				
19H .0702	10:07 NCR 582	10/01/95	x		N/A	Withdrawn by Agency Rule-Making Agenda
20		10:18 NCR 2317				
20D .0233 - .0234	10:13 NCR 1160	01/01/96			01/01/96	
.0236	10:13 NCR 1160	01/01/96			01/01/96	
.0241 - .0243	10:13 NCR 1160	01/01/96			01/01/96	
.0247 - .0252	10:13 NCR 1160	01/01/96			01/01/96	
21		10:18 NCR 2317				Rule-Making Agenda
21F .0801 - .0802	10:13 NCR 1160	01/01/96				
.0804	10:13 NCR 1160	01/01/96				
.1101 - .1103	10:13 NCR 1160	01/01/96			01/01/96	
.1105	10:13 NCR 1160	01/01/96			01/01/96	
23		10:18 NCR 2317				Rule-Making Agenda
24		10:18 NCR 2317				Rule-Making Agenda
24A .0102	10:13 NCR 1160	01/01/96			01/01/96	
.0202 - .0203	10:13 NCR 1160	01/01/96			01/01/96	
.0204	10:13 NCR 1160	01/01/96				
.0301	10:13 NCR 1160	01/01/95			01/01/96	

# CUMULATIVE INDEX

Agency/Rule Citation	Proposed in Register	Proposed Effective Date	Fiscal Note		Effective Date	Other Information
			State	Local		

25	.0404 .0213	10:06 NCR 350 10:18 NCR 2317 10:16 NCR 1996	10/01/95 04/01/96	x	10/01/95	Rule-Making Agenda
----	----------------	---	----------------------	---	----------	--------------------

## FINAL DECISION LETTERS

Voting Rights Act	10:01 NCR 02 10:03 NCR 194 10:05 NCR 298 10:10 NCR 825 10:11 NCR 889 10:13 NCR 1084 10:15 NCR 1429 10:17 NCR 2227 10:19 NCR 2478
-------------------	--

## GENERAL CONTRACTORS LICENSING BOARD

21 NCAC 12 .0302 .0410	10:11 NCR 906 10:11 NCR 906	12/01/95 12/01/95	12/01/95 12/01/95
---------------------------	--------------------------------	----------------------	----------------------

## GENERAL STATUTES

Chapter 150B	10:13 NCR 1062
--------------	----------------

## GOVERNOR'S EXECUTIVE ORDERS

Number 72	10:01 NCR 01	03/06/95
Number 73	10:02 NCR 54	03/15/95
Number 74	10:02 NCR 54	03/27/95
Number 75	10:03 NCR 191	03/30/95
Number 76	10:03 NCR 191	04/03/95
Number 77	10:05 NCR 297	05/02/95
Number 78	10:06 NCR 336	05/23/95
Number 79	10:07 NCR 427	06/07/95
Number 80	10:07 NCR 427	06/13/95
Number 81	10:08 NCR 639	06/27/95
Number 82	10:10 NCR 823	07/27/95
Number 83	10:10 NCR 823	08/03/95
Number 84	10:12 NCR 981	08/24/95
Number 85	10:13 NCR 1061	09/12/95
Number 86	10:13 NCR 1061	09/12/95
Number 87	10:17 NCR 2222	10/27/95
Number 88	10:17 NCR 2222	10/27/95
Number 89	10:17 NCR 2222	10/31/95
Number 90	10:20 NCR 2587	12/05/95
Number 91	10:20 NCR 2587	12/13/95
Number 92	10:20 NCR 2587	12/13/95

## HEARING AID DEALERS AND FITTERS BOARD

21 NCAC 22A .0203 .0309	10:16 NCR 2053 10:16 NCR 2053	02/01/96 02/01/96
22F .0003 - .0004 .0007 - .0008 .0013 - .0014 .0016 .0018 .0020 - .0021	10:16 NCR 2053 10:16 NCR 2053 10:16 NCR 2053 10:16 NCR 2053 10:16 NCR 2053	02/01/96 02/01/96 02/01/96 02/01/96 02/01/96
22I .0008 - .0009	10:16 NCR 2053	02/01/96
22K .0004 - .0005	10:16 NCR 2053	02/01/96
22L .0001 .0005 - .0006 .0009 - .0011 .0013 - .0015	10:16 NCR 2053 10:16 NCR 2053 10:16 NCR 2053 10:16 NCR 2053	02/01/96 02/01/96 02/01/96 02/01/96

## HUMAN RESOURCES

**CUMULATIVE INDEX**

Agency/Rule Citation	Proposed in Register	Proposed Effective Date	Fiscal Note		Effective Date	Other Information
			State	Local		
10 NCAC 03	10:18 NCR 2399					Rule-Making Proceeding
03C .5301	10:14 NCR 1232	03/01/96				
.5401 - .5414	10:14 NCR 1232	03/01/96				
03D .0808	10:14 NCR 1238	02/01/96				
.1301 - .1302	10:14 NCR 1238	02/01/96				
.1401	10:08 NCR 641	11/01/95			11/01/95	
.1401 - .1403	10:14 NCR 1238	02/01/96				
.1501 - .1503	10:14 NCR 1238	02/01/96				
03H .0108 - .0109	10:02 NCR 58	09/01/95			01/01/96	
.0206 - .0220	10:02 NCR 58	09/01/95			01/01/96	
.0306 - .0318	10:02 NCR 58	09/01/95			01/01/96	
.0407 - .0409	10:02 NCR 58	09/01/95			01/01/96	
.0505 - .0507	10:02 NCR 58	09/01/95			01/01/96	
.0510 - .0517	10:02 NCR 58	09/01/95			01/01/96	
.0605 - .0609	10:02 NCR 58	09/01/95			01/01/96	
.0705 - .0712	10:02 NCR 58	09/01/95			01/01/96	
.0810 - .0812	10:02 NCR 58	09/01/95			01/01/96	
.0903 - .0911	10:02 NCR 58	09/01/95			01/01/96	
.1003 - .1008	10:02 NCR 58	09/01/95			01/01/96	
.1105 - .1109	10:02 NCR 58	09/01/95			01/01/96	
.1130 - .1136	10:02 NCR 58	09/01/95			01/01/96	
.1150 - .1163	10:02 NCR 58	09/01/95			01/01/96	
.1204 - .1208	10:02 NCR 58	09/01/95			01/01/96	
.1210	10:02 NCR 58	09/01/95			01/01/96	
.1306 - .1308	10:02 NCR 58	09/01/95			01/01/96	
.1405 - .1406	10:02 NCR 58	09/01/95			01/01/96	
.1408 - .1410	10:02 NCR 58	09/01/95			01/01/96	
.1501 - .1503	10:02 NCR 58	09/01/95			01/01/96	
.1612 - .1613	10:02 NCR 58	09/01/95			01/01/96	
.1703 - .1704	10:02 NCR 58	09/01/95			01/01/96	
.1804 - .1807	10:02 NCR 58	09/01/95			01/01/96	
.2001	10:02 NCR 58	09/01/95			01/01/96	
.2101 - .2110	10:02 NCR 58	09/01/95			01/01/96	
.2201 - .2203	10:02 NCR 58	09/01/95			01/01/96	
.2204 - .2206	10:02 NCR 58	09/01/95			01/01/96	
.2207 - .2212	10:02 NCR 58	09/01/95			01/01/96	
.2301 - .2302	10:02 NCR 58	09/01/95			01/01/96	
.2303 - .2308	10:02 NCR 58	09/01/95			01/01/96	
.2401 - .2402	10:02 NCR 58	09/01/95			01/01/96	
.2501 - .2506	10:02 NCR 58	09/01/95			01/01/96	
.2601 - .2607	10:02 NCR 58	09/01/95			01/01/96	
.2701	10:02 NCR 58	09/01/95			01/01/96	
.2801 - .2802	10:02 NCR 58	09/01/95			01/01/96	
.2901 - .2902	10:02 NCR 58	09/01/95			01/01/96	
.3001 - .3005	10:02 NCR 58	09/01/95			01/01/96	
.3011 - .3016	10:02 NCR 58	09/01/95			01/01/96	
.3021 - .3032	10:02 NCR 58	09/01/95			01/01/96	
.3101 - .3103	10:02 NCR 58	09/01/95			01/01/96	
.3104	10:02 NCR 58	09/01/95			01/01/96	
.3201 - .3202	10:02 NCR 58	09/01/95			01/01/96	
.3301 - .3302	10:02 NCR 58	09/01/95			01/01/96	
.3401 - .3404	10:02 NCR 58	09/01/95			01/01/96	
03L .0901	10:08 NCR 641	02/01/96				
.0902 - .0907	10:08 NCR 641	02/01/96			02/01/96	
.1001 - .1003	10:08 NCR 641	02/01/96			02/01/96	
.1004	10:08 NCR 641	02/01/96				
.1005 - .1007	10:08 NCR 641	02/01/96			02/02/96	
.1101	10:08 NCR 641	02/01/96			02/01/96	
.1102 - .1103	10:08 NCR 641	02/01/96				
.1104	10:08 NCR 641	02/01/96			02/01/96	
.1105 - .1106	10:08 NCR 641	02/01/96				
.1107	10:08 NCR 641	02/01/96			02/01/96	
.1108 - .1110	10:08 NCR 641	02/01/96				

**CUMULATIVE INDEX**

Agency/Rule Citation	Proposed in Register	Proposed Effective Date	Fiscal Note		Effective Date	Other Information
			State	Local		
.1111 - .1112	10:08 NCR 641	02/01/96			02/01/96	
.1201	10:08 NCR 641	02/01/96			02/01/96	
.1202	10:08 NCR 641	02/01/96				
.1301 - .1303	10:08 NCR 641	02/01/96			02/01/96	
.1401	10:08 NCR 641	02/01/96			02/01/96	
.1402	10:08 NCR 641	02/01/96				
03M .0202 - .0205	10:08 NCR 641	11/01/95			11/01/95	
.0207	10:08 NCR 641	11/01/95			11/01/95	
03R .0109 - .0111	10:14 NCR 1243	01/01/96				
.0213 - .0215	10:14 NCR 1243	01/01/96				
.0303 - .0305	10:14 NCR 1243	01/01/96				
.0317	10:14 NCR 1243	01/01/96				
.0904	10:14 NCR 1243	01/01/96				
.1003	10:14 NCR 1243	01/01/96				
.1113	10:14 NCR 1243	01/01/96				
.1115 - .1120	10:14 NCR 1243	01/01/95				
.1124 - .1127	10:14 NCR 1243	01/01/96				
.1214	10:14 NCR 1243	01/01/96				
.1216	10:14 NCR 1243	01/01/96				
.1218 - .1219	10:14 NCR 1243	01/01/96				
.1302	10:14 NCR 1243	01/01/96				
.1304 - .1309	10:14 NCR 1243	01/01/96				
.1413 - .1414	10:14 NCR 1243	01/01/96				
.1418 - .1419	10:14 NCR 1243	01/01/96				
.1613 - .1615	10:14 NCR 1243	01/01/96				
.1618 - .1619	10:14 NCR 1243	01/01/96				
.1713 - .1714	10:14 NCR 1243	01/01/96				
.1719 - .1720	10:14 NCR 1243	01/01/96				
.1912 - .1914	10:14 NCR 1243	01/01/96				
.1916 - .1918	10:14 NCR 1243	01/01/96				
.2002	10:14 NCR 1243	01/01/96				
.2004 - .2011	10:14 NCR 1243	01/01/96				
.2117	10:14 NCR 1243	01/01/96				
.2120	10:14 NCR 1243	01/01/96				
.2319 - .2320	10:14 NCR 1243	01/01/96				
.2402	10:14 NCR 1243	01/01/96				
.2404 - .2412	10:14 NCR 1243	01/01/96				
.2502 - .2512	10:14 NCR 1243	01/01/96				
.2603	10:14 NCR 1243	01/01/96				
.2605	10:14 NCR 1243	01/01/96				
.2607 - .2610	10:14 NCR 1243	01/01/96				
.2612 - .2613	10:14 NCR 1243	01/01/96				
.2718 - .2719	10:14 NCR 1243	01/01/96				
.2802 - .2807	10:14 NCR 1243	01/01/96				
.2809 - .2810	10:14 NCR 1243	01/01/96				
.3103	10:14 NCR 1243	01/01/96				
.3107 - .3108	10:14 NCR 1243	01/01/96				
.3204	10:14 NCR 1243	01/01/96				
.3206 - .3207	10:14 NCR 1243	01/01/96				
.3306	10:14 NCR 1243	01/01/96				
.3401	10:14 NCR 1243	01/01/96				
.3406 - .3407	10:14 NCR 1243	01/01/96				
.3502 - .3503	10:14 NCR 1243	01/01/96				
.3506 - .3507	10:14 NCR 1243	01/01/96				
.3606 - .3507	10:14 NCR 1243	01/01/96				
.3706 - .3707	10:14 NCR 1243	01/01/96				
.3806 - .3807	10:14 NCR 1243	01/01/96				
.3902 - .3904	10:14 NCR 1243	01/01/96				
.3907 - .3909	10:14 NCR 1243	01/01/96				
.4002 - .4008	10:14 NCR 1243	01/01/96				
.4010 - .4012	10:14 NCR 1243	01/01/96				
.4102 - .4107	10:14 NCR 1243	01/01/96				
.4202	10:14 NCR 1243	01/01/96				

**CUMULATIVE INDEX**

Agency/Rule Citation	Proposed in Register	Proposed Effective Date	Fiscal Note		Effective Date	Other Information
			State	Local		
03T .0102 .4204 .4206 - .4207 .7001 - .7008 .0201 - .0210 .0301 - .0303 .0401 - .0403 .0501 - .0505 .0601 - .0605 .0701 - .0703 .0801 - .0803 .0901 - .0902 .1001 - .1002 .1102 .1113 .1116 .1202 .1204 .1212	10:14 NCR 1243 10:14 NCR 1243 10:14 NCR 1291 10:14 NCR 1297 10:14 NCR 1297	01/01/96 01/01/96 01/01/96 02/01/96 02/01/96 02/01/96 02/01/96 02/01/96 02/01/96 02/01/96 02/01/96 02/01/96 02/01/96 02/01/96 02/01/96 02/01/96				
					01/01/96	Temporary Amendment Eff. 1/1/96
					01/01/96	Rule-Making Proceeding
					01/01/96	Rule-Making Proceeding
						Temporary Adoption Eff. 1/1/96
03U .0102 .0704 .0708 .2701 - .2704	10:20 NCR 2593 10:19 NCR 2506 10:19 NCR 2506 10:20 NCR 2593				01/01/96	
					01/01/96	
14B .0501 - .0503 .0505 - .0509	10:07 NCR 430 10:07 NCR 430	05/01/96 05/01/96				
14C .1001 - .1006 .1008 .1010 - .1018 .1101 - .1105 .1107 .1110 - .1111 .1114 - .1121 .1123 .1125 - .1131 .1133 - .1160	10:15 NCR 1435 10:15 NCR 1435	02/01/96 02/01/96 02/01/96 02/01/96 02/01/96 02/01/96 02/01/96 02/01/96 02/01/96				
14D .0006 14K .0101 - .0103 .0201 - .0219 .0301 - .0310 .0312 - .0315 .0317 - .0324 .0326 - .0329 .0333 - .0348 .0350 - .0365 .0401 - .0408	10:15 NCR 1435 10:07 NCR 430 10:07 NCR 430	02/01/96 05/01/96 05/01/96 05/01/96 05/01/96 05/01/96 05/01/96 05/01/96 05/01/96 05/01/96 05/01/96 05/01/96 05/01/96				
14L .0101 - .0106 .0201 - .0203 .0301 - .0308 .0310 .0401 - .0407 .0601 - .0606 .0609 .0611 - .0615 .0701 - .0709 .0711 - .0712	10:07 NCR 430 10:07 NCR 430	05/01/96 05/01/96 05/01/96 05/01/96 05/01/96 05/01/96 05/01/96 05/01/96 05/01/96 05/01/96 05/01/96 05/01/96 05/01/96				
14M .0101 - .0113 .0501 - .0511 .0601 - .0602 .0604 .0606 .0608 - .0612 .0614 - .0615 .0617 - .0621	10:07 NCR 430 10:07 NCR 430	05/01/96 05/01/96 05/01/96 05/01/96 05/01/96 05/01/96 05/01/96				

**CUMULATIVE INDEX**

Agency/Rule Citation	Proposed in Register	Proposed Effective Date	Fiscal Note		Effective Date	Other Information			
			State	Local					
14N .0701 - .0716 14N .0101 - .0107 .0201 - .0207 .0301 - .0307 .0401 - .0406 .0501 - .0507 .0701 .0703 - .0705 .0801 - .0811 .0901 - .0905	10:07 NCR 430 10:07 NCR 430 10:08 NCR 656	05/01/96 05/01/96 05/01/96 05/01/96 05/01/96 05/01/96 05/01/96 05/01/96 05/01/96 05/01/96				Notice on Subject Matter Agency Did Not Adopt			
	.0401 - .0409	10:07 NCR 430							
	.0411 - .0416	10:07 NCR 430							
	.0501 - .0505	10:07 NCR 430							
	.0601 - .0609	10:07 NCR 430							
	.0611 - .0615	10:07 NCR 430							
	.0617 - .0618	10:07 NCR 430							
	.0701 - .0710	10:07 NCR 430							
14V	10:15 NCR 1479	05/01/96							
14V .0101 - .0104	10:07 NCR 430	05/01/96							
.0101 - .0104	10:13 NCR 1085	05/01/96							
.0201 - .0208	10:07 NCR 430	05/01/96							
.0201 - .0208	10:13 NCR 1085	05/01/96							
.0301 - .0304	10:07 NCR 430	05/01/96							
.0301 - .0304	10:13 NCR 1085	05/01/96							
.0401 - .0405	10:07 NCR 430	05/01/96							
.0401 - .0405	10:13 NCR 1085	05/01/96							
.0501 - .0505	10:07 NCR 430	05/01/96							
.0501 - .0505	10:13 NCR 1085	05/01/96							
.0601 - .0604	10:07 NCR 430	05/01/96							
.0601 - .0607	10:13 NCR 1085	05/01/96							
.0701 - .0712	10:07 NCR 430	05/01/96							
.0701 - .0713	10:13 NCR 1085	05/01/96							
.0801 - .0805	10:07 NCR 430	05/01/96							
.0801 - .0805	10:13 NCR 1085	05/01/96							
.1101 - .1103	10:07 NCR 430	05/01/96							
.1101 - .1103	10:13 NCR 1085	05/01/96							
.1201 - .1203	10:07 NCR 430	05/01/96							
.1201 - .1203	10:13 NCR 1085	05/01/96							
.1301 - .1303	10:07 NCR 430	05/01/96							
.1301 - .1304	10:13 NCR 1085	05/01/96							
.1401 - .1403	10:07 NCR 430	05/01/96							
.1401 - .1403	10:13 NCR 1085	05/01/96							
.1501 - .1504	10:07 NCR 430	05/01/96							
.1501 - .1504	10:13 NCR 1085	05/01/96							
.2101 - .2104	10:07 NCR 430	05/01/96							
.2101 - .2104	10:13 NCR 1085	05/01/96							
.2201 - .2204	10:07 NCR 430	05/01/96							
.2201 - .2204	10:13 NCR 1085	05/01/96							
.2301 - .2306	10:07 NCR 430	05/01/96							
.2301 - .2306	10:13 NCR 1085	05/01/96							
.2401 - .2404	10:07 NCR 430	05/01/96							
.2401 - .2404	10:13 NCR 1085	05/01/96							
.2501 - .2505	10:07 NCR 430	05/01/96							
.2501 - .2505	10:13 NCR 1085	05/01/96							
.3101 - .3103	10:07 NCR 430	05/01/96							
.3101 - .3103	10:13 NCR 1085	05/01/96							
.3201 - .3203	10:07 NCR 430	05/01/96							
.3201 - .3203	10:13 NCR 1085	05/01/96							
.3301 - .3303	10:07 NCR 430	05/01/96							
.3301 - .3303	10:13 NCR 1085	05/01/96							
.3401 - .3403	10:07 NCR 430	05/01/96							
.3401 - .3403	10:13 NCR 1085	05/01/96							

**CUMULATIVE INDEX**

Agency/Rule Citation	Proposed in Register	Proposed Effective Date	Fiscal Note		Effective Date	Other Information
			State	Local		
.3501 - .3503	10:07 NCR 430	05/01/96				Agency Did Not Adopt
.3501 - .3503	10:13 NCR 1085	05/01/96				Agency Did Not Adopt
.3601 - .3604	10:07 NCR 430	05/01/96				Agency Did Not Adopt
.3601 - .3604	10:13 NCR 1085	05/01/96				Agency Did Not Adopt
.3701 - .3703	10:07 NCR 430	05/01/96				Agency Did Not Adopt
.3701 - .3703	10:13 NCR 1085	05/01/96				Agency Did Not Adopt
.3801 - .3803	10:07 NCR 430	05/01/96				Agency Did Not Adopt
.3801 - .3803	10:13 NCR 1085	05/01/96				Agency Did Not Adopt
.3901 - .3903	10:07 NCR 430	05/01/96				Agency Did Not Adopt
.3901 - .3903	10:13 NCR 1085	05/01/96				Agency Did Not Adopt
.4001 - .4003	10:07 NCR 430	05/01/96				Agency Did Not Adopt
.4001 - .4003	10:13 NCR 1085	05/01/96				Agency Did Not Adopt
.4101 - .4104	10:07 NCR 430	05/01/96				Agency Did Not Adopt
.4101 - .4104	10:13 NCR 1085	05/01/96				Agency Did Not Adopt
.4201 - .4203	10:13 NCR 1085	05/01/96				Agency Did Not Adopt
.5001 - .5002	10:07 NCR 430	05/01/96				Agency Did Not Adopt
.5001 - .5003	10:13 NCR 1085	05/01/96				Agency Did Not Adopt
.5101 - .5104	10:07 NCR 430	05/01/96				Agency Did Not Adopt
.5101 - .5104	10:13 NCR 1085	05/01/96				Agency Did Not Adopt
.5201 - .5204	10:07 NCR 430	05/01/96				Agency Did Not Adopt
.5201 - .5204	10:13 NCR 1085	05/01/96				Agency Did Not Adopt
.5301 - .5303	10:07 NCR 430	05/01/96				Agency Did Not Adopt
.5301 - .5303	10:13 NCR 1085	05/01/96				Agency Did Not Adopt
.5401 - .5403	10:07 NCR 430	05/01/96				Agency Did Not Adopt
.5401 - .5403	10:13 NCR 1085	05/01/96				Agency Did Not Adopt
.5501 - .5503	10:07 NCR 430	05/01/96				Agency Did Not Adopt
.5501 - .5503	10:13 NCR 1085	05/01/96				Agency Did Not Adopt
.5601 - .5603	10:07 NCR 430	05/01/96				Agency Did Not Adopt
.5601 - .5603	10:13 NCR 1085	05/01/96				Agency Did Not Adopt
.5701 - .5703	10:07 NCR 430	05/01/96				Agency Did Not Adopt
.5701 - .5703	10:13 NCR 1085	05/01/96				Agency Did Not Adopt
.5801 - .5804	10:07 NCR 430	05/01/96				Agency Did Not Adopt
.5801 - .5804	10:13 NCR 1085	05/01/96				Agency Did Not Adopt
.5901 - .5903	10:07 NCR 430	05/01/96				Agency Did Not Adopt
.5901 - .5903	10:13 NCR 1085	05/01/96				Agency Did Not Adopt
.6001 - .6003	10:07 NCR 430	05/01/96				Agency Did Not Adopt
.6001 - .6003	10:13 NCR 1085	05/01/96				Agency Did Not Adopt
.6101 - .6103	10:07 NCR 430	05/01/96				Agency Did Not Adopt
.6101 - .6103	10:13 NCR 1085	05/01/96				Agency Did Not Adopt
.6201 - .6202	10:07 NCR 430	05/01/96				Agency Did Not Adopt
.6201 - .6202	10:13 NCR 1085	05/01/96				Agency Did Not Adopt
.6301 - .6303	10:07 NCR 430	05/01/96				Agency Did Not Adopt
.6301 - .6303	10:13 NCR 1085	05/01/96				Agency Did Not Adopt
.6401 - .6403	10:07 NCR 430	05/01/96				Agency Did Not Adopt
.6401 - .6403	10:13 NCR 1085	05/01/96				Agency Did Not Adopt
.6501 - .6503	10:07 NCR 430	05/01/96				Agency Did Not Adopt
.6501 - .6503	10:13 NCR 1085	05/01/96				Agency Did Not Adopt
.6601 - .6603	10:07 NCR 430	05/01/96				Agency Did Not Adopt
.6601 - .6603	10:13 NCR 1085	05/01/96				Agency Did Not Adopt
.6701 - .6702	10:07 NCR 430	05/01/96				Agency Did Not Adopt
.6701 - .6702	10:13 NCR 1085	05/01/96				Agency Did Not Adopt
.6801 - .6802	10:07 NCR 430	05/01/96				Agency Did Not Adopt
.6801 - .6802	10:13 NCR 1085	05/01/96				Agency Did Not Adopt
.6901 - .6903	10:07 NCR 430	05/01/96				Agency Did Not Adopt
.6901 - .6903	10:13 NCR 1085	05/01/96				Agency Did Not Adopt
15A .0115 - .0127	10:13 NCR 1085	01/01/96	x			
	.0205 - .0228	10:13 NCR 1085	01/01/96	x		
18A .0124 - .0128	10:07 NCR 430	05/01/96				
	.0130	10:07 NCR 430	05/01/96			
	.0132 - .0133	10:07 NCR 430	05/01/96			
	.0135 - .0136	10:07 NCR 430	05/01/96			
18D .0209	10:14 NCR 1311	01/01/96			01/01/96	
18F .0115 - .0117	10:14 NCR 1311	01/01/96			01/01/96	

**CUMULATIVE INDEX**

Agency/Rule Citation	Proposed in Register	Proposed Effective Date	Fiscal Note		Effective Date	Other Information
			State	Local		
18I .0114 - .0120	10:07 NCR 430	05/01/96				
18J .0110 - .0119	10:07 NCR 430	05/01/96				
.0212 - .0213	10:07 NCR 430	05/01/96				
.0304 - .0311	10:07 NCR 430	05/01/96				
.0507 - .0511	10:08 NCR 656	05/01/96				
.0601 - .0604	10:07 NCR 430	05/01/96				
.0701 - .0715	10:07 NCR 430	05/01/96				
.0801 - .0805	10:07 NCR 430	05/01/96				
.0803	10:02 NCR 118	07/01/95			07/01/95	
18K .0109 - .0116	10:07 NCR 430	05/01/96				
.0262 - .0263	10:08 NCR 656	05/01/96				
18L .0107 - .0108	10:07 NCR 430	05/01/96				
.0223 - .0224	10:07 NCR 430	05/01/96				
.0331 - .0336	10:07 NCR 430	05/01/96				
.0338 - .0339	10:07 NCR 430	05/01/96				
.0428 - .0434	10:07 NCR 430	05/01/96				
.0504	10:07 NCR 430	05/01/96				
.0511	10:07 NCR 430	05/01/96				
.0513	10:07 NCR 430	05/01/96				
.0601 - .0607	10:08 NCR 656	05/01/96				
.0701 - .0705	10:07 NCR 430	05/01/96				
.0707	10:07 NCR 430	05/01/96				
.0801	10:07 NCR 430	05/01/96				
.0803 - .0809	10:07 NCR 430	05/01/96				
.0901 - .0904	10:07 NCR 430	05/01/96				
.1001 - .1006	10:07 NCR 430	05/01/96				
.1101 - .1103	10:07 NCR 430	05/01/96				
.1105 - .1107	10:07 NCR 430	05/01/96				
.1201	10:07 NCR 430	05/01/96				
.1203 - .1206	10:07 NCR 430	05/01/96				
.1301 - .1309	10:07 NCR 430	05/01/96				
.1401 - .1403	10:07 NCR 430	05/01/96				
.1501 - .1525	10:07 NCR 430	05/01/96				
18M .0107 - .0110	10:07 NCR 430	05/01/96				
.0206 - .0213	10:07 NCR 430	05/01/96				
.0304 - .0307	10:07 NCR 430	05/01/96				
.0406 - .0409	10:07 NCR 430	05/01/96				
.0505 - .0506	10:07 NCR 430	05/01/96				
.0607 - .0608	10:07 NCR 430	05/01/96				
.0701	10:07 NCR 430	05/01/96				
.0703 - .0706	10:07 NCR 430	05/01/96				
.0708 - .0714	10:07 NCR 430	05/01/96				
.0801 - .0803	10:07 NCR 430	05/01/96				
.0817 - .0819	10:07 NCR 430	05/01/96				
.0824 - .0838	10:07 NCR 430	05/01/96				
.0901 - .0908	10:07 NCR 430	05/01/96				
.1001 - .1009	10:07 NCR 430	05/01/96				
.1101 - .1106	10:07 NCR 430	05/01/96				
.1203 - .1204	10:07 NCR 430	05/01/96				
.1302 - .1305	10:07 NCR 430	05/01/96				
.1401 - .1403	10:07 NCR 430	05/01/96				
.1405 - .1410	10:07 NCR 430	05/01/96				
18N .0105 - .0110	10:07 NCR 430	05/01/96				
.0204 - .0212	10:07 NCR 430	05/01/96				
.0305 - .0306	10:07 NCR 430	05/01/96				
.0601 - .0605	10:08 NCR 656	05/01/96				
.0701 - .0709	10:08 NCR 656	05/01/96				
18O .0517 - .0524	10:08 NCR 656	05/01/96				
18P .0901 - .0903	10:07 NCR 430	05/01/96				
.1001 - .1004	10:07 NCR 430	05/01/96				
18Q .0284	10:07 NCR 430	05/01/96				
.0286 - .0287	10:07 NCR 430	05/01/96				
.0520 - .0521	10:07 NCR 430	05/01/96				

**CUMULATIVE INDEX**

Agency/Rule Citation	Proposed in Register	Proposed Effective Date	Fiscal Note		Effective Date	Other Information
			State	Local		
	.0538 - .0552	10:07 NCR 430	05/01/96			
19C	.0209	10:16 NCR 1708	02/01/96			
	.0408 - .0410	10:16 NCR 1708	02/01/96			
	.0504	10:16 NCR 1708	02/01/96			
	.0509 - .0512	10:16 NCR 1708	02/01/96			
	.0602	10:16 NCR 1708	02/01/96			
	.0604	10:16 NCR 1708	02/01/96			
	.0702 - .0703	10:16 NCR 1708	02/01/96		*	
19G	.0501 - .0502	10:14 NCR 1312	01/01/96		01/01/96	
	.0603	10:14 NCR 1312	01/01/96		01/01/96	
	.0606 - .0612	10:14 NCR 1312	01/01/96		01/01/96	
	.0803	10:14 NCR 1312	01/01/96		01/01/96	
	.0806	10:14 NCR 1312	01/01/96		01/01/96	
	.0817	10:14 NCR 1312	01/01/96		01/01/96	
	.0823	10:14 NCR 1312	01/01/96		01/01/96	
20A	.0102	10:16 NCR 1716	02/01/96			
20B	.0204 - .0206	10:16 NCR 1716	02/01/96			
	.0208 - .0210	10:16 NCR 1716	02/01/96			
	.0218	10:16 NCR 1716	02/01/96			
	.0222	10:16 NCR 1716	02/01/96			
	.0224	10:16 NCR 1716	02/01/96			
	.0226 - .0227	10:16 NCR 1716	02/01/96			
20C	.0205	10:16 NCR 1716	02/01/96	x		
	.0316	10:16 NCR 1716	02/01/96	x		
26B	.0105	10:18 NCR 2398				Rule-Making Proceeding
	.0110	10:08 NCR 660	10/01/95		10/01/95	
	.0112	10:16 NCR 1721	02/01/96			
	.0113	10:16 NCR 1721	02/01/96			
	.0124	10:02 NCR 118	07/01/95	x	07/01/95	
26G	.0703 - .0705	10:12 NCR 982	12/01/95		12/01/95	
26H	.0212 - .0213	10:13 NCR 1153	01/01/96	x	01/01/96	
	.0213	10:02 NCR 118	07/01/95		07/01/95	
	.0213	10:14 NCR 1317	01/01/96	x	01/01/96	
	.0302	10:04 NCR 228	08/01/95	x	08/01/95	
	.0304 - .0305	10:04 NCR 228	08/01/95	x	08/01/95	
	.0308 - .0309	10:04 NCR 228	08/01/95	x	08/01/95	
	.0508	10:12 NCR 982	12/01/95		12/01/95	
26I	.0101	10:10 NCR 826	11/01/95		12/11/95	Filed over RRC Objection
	.0102	10:10 NCR 826	11/01/95		12/01/95	
	.0103	10:10 NCR 826	11/01/95		12/11/95	Filed over RRC Objection
	.0104 - .0107	10:10 NCR 826	11/01/95		12/01/95	
26K	.0006	10:15 NCR 1479	02/01/96			
39D	.0302 - .0303	10:09 NCR 722	11/01/95		11/01/95	
	.0304	10:15 NCR 1483	02/01/96	x		
41F	.0706	10:03 NCR 196	08/01/95		08/01/95	
	.0812	10:03 NCR 196	08/01/95		08/01/95	
41I	.0100	10:17 NCR 2228				Rule-Making Proceeding
42B	.1209	10:13 NCR 1158	01/01/96			
42C	.2010	10:13 NCR 1158	01/01/96			
42D	.1409	10:13 NCR 1158	01/01/96			
42H	.0911	10:09 NCR 722	12/01/95			
42V	.0201	10:20 NCR 2597			12/12/95	Temporary Amendment Eff. 2/12/95
	.0802 - .0803	10:20 NCR 2597			12/12/95	Temporary Amendment Eff. 2/12/95
42W	.0001 - .0002	10:10 NCR 828	11/01/95		11/01/95	
46A	.0001	10:16 NCR 1724	02/01/96			
	.0005	10:16 NCR 1724	02/01/96			
46C	.0107	10:16 NCR 1724	02/01/96			
46D	.0101	10:16 NCR 1724	02/01/96			
	.0103	10:16 NCR 1724	02/01/96			
	.0105 - .0107	10:16 NCR 1724	02/01/96			
	.0202	10:16 NCR 1724	02/01/96			
46E	.0108 - .0109	10:16 NCR 1724	02/01/96			

**CUMULATIVE INDEX**

Agency/Rule Citation	Proposed in Register	Proposed Effective Date	Fiscal Note		Effective Date	Other Information
			State	Local		
	.0111	10:16 NCR 1724	02/01/96			
46F	.0107 - .0108	10:16 NCR 1724	02/01/96			
	.0110	10:16 NCR 1724	02/01/96			
46G	.0110	10:16 NCR 1724	02/01/96			
	.0113	10:16 NCR 1724	02/01/96			
	.0214	10:16 NCR 1724	02/01/96			
46H	.0101	10:16 NCR 1724	02/01/96			
	.0103 - .0105	10:16 NCR 1724	02/01/96			
	.0108	10:16 NCR 1724	02/01/96			
	.0110	10:16 NCR 1724	02/01/96			
	.0201 - .0203	10:16 NCR 1724	02/01/96			
	.0206 - .0207	10:16 NCR 1724	02/01/96			
47B	.0404 - .0405	10:15 NCR 1483	02/01/96			
49B	.0102	10:15 NCR 1483	02/01/96			
49C	.0107	10:16 NCR 1731	02/01/96	x		
50B	.0313	10:14 NCR 1321	01/01/96			
50D	.0101 - .0103	10:15 NCR 1479	02/01/96			01/01/96
	.0201	10:15 NCR 1479	02/01/96			
	.0301 - .0302	10:15 NCR 1479	02/01/96			
	.0401 - .0402	10:15 NCR 1479	02/01/96			
	.0501 - .0503	10:15 NCR 1479	02/01/96			
<b>INSURANCE</b>						
11 NCAC 04	.0120 - .0124	10:15 NCR 1489	02/01/96			
	.0421 - .0422	10:15 NCR 1489	02/01/96			
	.0429 - .0430	10:15 NCR 1489	02/01/96			
	.0501 - .0509	10:16 NCR 1732	01/01/97			
06A	.0201	10:16 NCR 1738	02/01/96			
	.0217	10:16 NCR 1738	02/01/96			
	.0225 - .0226	10:16 NCR 1738	02/01/96			
	.0234 - .0236	10:16 NCR 1738	02/01/96			
	.0240	10:16 NCR 1738	02/01/96			
	.0301 - .0302	10:16 NCR 1738	02/01/96			
	.0304 - .0306	10:16 NCR 1738	02/01/96			
	.0402	10:16 NCR 1738	02/01/96			
	.0410	10:16 NCR 1738	02/01/96			
	.0413	10:16 NCR 1738	02/01/96			
	.0417	10:16 NCR 1738	02/01/96			
	.0501	10:16 NCR 1738	02/01/96			
	.0701 - .0705	10:16 NCR 1738	02/01/96			
	.0808 - .0810	10:16 NCR 1738	02/01/96			
	.0812	10:04 NCR 246	08/01/95			08/01/95
	.0813	10:16 NCR 1738	02/01/96			
	.0901 - .0904	10:16 NCR 1738	02/01/96			
09	.0101 - .0104	10:15 NCR 1490	02/01/96			
	.0201 - .0203	10:15 NCR 1490	02/01/96			
10	.0105	10:15 NCR 1492	02/01/96			
	.0605	10:15 NCR 1492	02/01/96			
	.1102 - .1103	10:15 NCR 1492	02/01/96			
	.1110 - .1111	10:15 NCR 1492	02/01/96			
	.1603	10:15 NCR 1492	02/01/96			
11B	.0111	10:15 NCR 1503	02/01/96			
	.0114	10:15 NCR 1503	02/01/96			
	.0140 - .0142	10:15 NCR 1503	02/01/96			
	.0146	10:15 NCR 1503	02/01/96			
	.0148	10:15 NCR 1503	02/01/96			
	.0302 - .0306	10:15 NCR 1503	02/01/96			
	.0601 - .0602	10:16 NCR 1751	02/01/96			
	.0604	10:16 NCR 1751	02/01/96			
	.0607	10:16 NCR 1751	02/01/96			
	.0610	10:16 NCR 1751	02/01/96			
	.0612	10:16 NCR 1751	02/01/96			
	.0616 - .0617	10:16 NCR 1751	02/01/96			

**CUMULATIVE INDEX**

Agency/Rule Citation	Proposed in Register	Proposed Effective Date	Fiscal Note		Effective Date	Other Information
			State	Local		
11C .0112 - .0113	10:15 NCR 1503	02/01/96				
.0118	10:15 NCR 1503	02/01/96				
.0132	10:15 NCR 1503	02/01/96				
.0313	10:15 NCR 1503	02/01/96				
.0504 - .0505	10:15 NCR 1503	02/01/96				
11D .0108 - .0109	10:15 NCR 1503	02/01/96				
.0302 - .0305	10:15 NCR 1503	02/01/96				
11F .0401 - .0405	10:16 NCR 1756	02/01/97				
12 .0307	10:16 NCR 1764	02/01/96				
.0326	10:16 NCR 1764	02/01/96				
.0415 - .0416	10:16 NCR 1764	02/01/96				
.0436	10:16 NCR 1764	02/01/96				
.0449	10:16 NCR 1764	02/01/96				
.0460	10:16 NCR 1764	02/01/96				
.0514	10:16 NCR 1762	02/01/96				
.0551	10:18 NCR 2399					Rule-Making Proceeding
.0552	10:16 NCR 1764	02/01/96				
.0562	10:16 NCR 1764	02/01/96				
.0822	10:16 NCR 1764	02/01/96				
.0824 - .0825	10:16 NCR 1764	02/01/96				
.0835	10:16 NCR 1764	02/01/96				
.0837	10:16 NCR 1764	02/01/96				
.0839	10:16 NCR 1764	02/01/96				
.0901	10:16 NCR 1787	03/01/96				
.0918 - .0919	10:16 NCR 1787	03/01/96				
.1004	10:16 NCR 1764	02/01/96				
.1601 - .1604	10:16 NCR 1764	02/01/96				
.1701 - .1709	10:16 NCR 1764	02/01/96				
13 .0317	10:15 NCR 1513	02/01/96				
.0319	10:15 NCR 1513	02/01/96				
14 .0202	10:15 NCR 1503	02/01/96				
.0430 - .0432	10:15 NCR 1503	02/01/96				
.0603	10:15 NCR 1503	02/01/96				
.0705	10:15 NCR 1503	02/01/96				
16 .0602	10:15 NCR 1514	02/01/96				
.0703	10:18 NCR 2399					Rule-Making Proceeding
.0704	10:11 NCR 900	12/01/95			12/01/95	
17 .0003	10:16 NCR 1787	02/01/96				
.0006	10:16 NCR 1764	02/01/96				
20 .0101	10:16 NCR 1787	03/01/96				
.0201 - .0205	10:16 NCR 1787	03/01/96				
.0301 - .0304	10:16 NCR 1787	03/01/96				
.0401 - .0410	10:16 NCR 1787	03/01/96				
.0501 - .0511	10:16 NCR 1787	03/01/96				
.0601 - .0602	10:16 NCR 1787	03/01/96				
.0701 - .0703	10:16 NCR 1787	06/01/96				
21 .0101 - .0110	10:16 NCR 1787	03/01/96				
<b>JUSTICE</b>						
12 NCAC 04E .0104	10:07 NCR 573	10/01/95			10/01/95	
07D .0201	10:07 NCR 575	10/01/95			12/01/95	
.0204	10:11 NCR 900	12/01/95				
.0301	10:07 NCR 575	10/01/95			12/01/95	
.0401	10:07 NCR 575	10/01/95			12/01/95	
.0701	10:07 NCR 575	10/01/95			12/01/95	
.0706	10:07 NCR 575	10/01/95			12/01/95	
.0801	10:07 NCR 575	10/01/95			12/01/95	
.0806	10:07 NCR 575	10/01/95			12/01/95	
.0808	10:16 NCR 1796	02/01/96				
.0902	10:07 NCR 575	10/01/95			12/01/95	
.0904	10:07 NCR 575	10/01/95			12/01/95	
09A .0204	10:02 NCR 122	08/01/95			08/01/95	
09B .0113	10:02 NCR 122	08/01/95			08/01/95	

**CUMULATIVE INDEX**

Agency/Rule Citation	Proposed in Register	Proposed Effective Date	Fiscal Note		Effective Date	Other Information
			State	Local		
.0201 - .0202	10:02 NCR 122	08/01/95			01/01/96	
.0205	10:02 NCR 122	08/01/95			07/01/97	
.0206	10:02 NCR 122	08/01/95			08/01/95	
.0210	10:02 NCR 122	08/01/95			08/01/95	
.0212 - .0214	10:02 NCR 122	08/01/95			08/01/95	
.0226 - .0228	10:02 NCR 122	08/01/95			08/01/95	
.0232 - .0233	10:02 NCR 122	08/01/95			08/01/95	
09C .0401	10:02 NCR 122	08/01/95			08/01/95	
.0601	10:02 NCR 122	08/01/95			08/01/95	
09D .0102	10:02 NCR 122	08/01/95			08/01/95	
.0104 - .0106	10:02 NCR 122	08/01/95			08/01/95	
09F .0101 - .0107	10:16 NCR 1797	05/01/96				
10B .0102 - .0103	10:09 NCR 723	01/01/96			01/01/96	
.0105	10:09 NCR 723	01/01/96			01/01/96	
.0204	10:09 NCR 723	01/01/96			01/01/96	
.0301	10:09 NCR 723	01/01/96			01/01/96	
.0304	10:09 NCR 723	01/01/96			01/01/96	
.0307	10:09 NCR 723	01/01/96			01/01/96	
.0401 - .0403	10:09 NCR 723	01/01/96			01/01/96	
.0405	10:09 NCR 723	01/01/96			01/01/96	
.0407 - .0409	10:09 NCR 723	01/01/96			01/01/96	
.0502 - .0503	10:09 NCR 723	01/01/96			01/01/96	
.0505	10:09 NCR 723	01/01/96			01/01/96	
.0601 - .0607	10:09 NCR 723	01/01/96			01/01/96	
.0702 - .0706	10:09 NCR 723	01/01/96			01/01/96	
.0801 - .0803	10:09 NCR 723	01/01/96			01/01/96	
.0901	10:09 NCR 723	01/01/96			01/01/96	
.0903 - .0906	10:09 NCR 723	01/01/96			01/01/96	
.0908 - .0912	10:09 NCR 723	01/01/96			01/01/96	
.1004 - .1005	10:09 NCR 723	01/01/96			01/01/96	
.1201 - .1205	10:09 NCR 723	01/01/96			01/01/96	
11 .0210	10:05 NCR 301	09/01/95			10/01/95	
<b>LABOR</b>						
13 NCAC						
	10:01 NCR 10	01/01/96				Notice on Subject Matter
	10:01 NCR 12	01/01/96				Notice on Subject Matter
	10:02 NCR 149	10/01/95				Notice on Subject Matter
	10:02 NCR 149	01/01/96				Notice on Subject Matter
	10:02 NCR 149	01/01/96				Notice on Subject Matter
	10:02 NCR 149	02/01/96				Notice on Subject Matter
	10:03 NCR 196	01/01/96				Notice on Subject Matter
	10:03 NCR 197	01/01/96				Notice on Subject Matter
	10:16 NCR 1799	04/01/96				Notice on Subject Matter
06						
07F .0101	10:16 NCR 1800	04/01/96				
	10:16 NCR 1823	02/01/96				
12 .0101	10:02 NCR 142	08/01/95				
	.0303 - .0315	10:02 NCR 142	08/01/95			
	.0501 - .0502	10:02 NCR 142	08/01/95			
	.0803 - .0808	10:02 NCR 142	08/01/95			
15						
18 .0101 - .0110	10:16 NCR 1827	04/01/96				Notice on Subject Matter
	10:14 NCR 1323	01/01/96				01/01/96
<b>LANDSCAPE ARCHITECTS</b>						
21 NCAC 26 .0307	10:15 NCR 1583	02/01/96				
<b>LIST OF RULES CODIFIED</b>						
	10:02 NCR 167					Rules Filed 03/95
	10:04 NCR 272					Rules Filed 04/95
	10:06 NCR 392					Rules Filed 05/95
	10:09 NCR 783					Rules Filed 06/95
	10:10 NCR 845					Rules Filed 07/95
	10:12 NCR 1017					Rules Filed 08/95
	10:15 NCR 1585					Rules Filed 09/95

**CUMULATIVE INDEX**

Agency/Rule Citation	Proposed in Register	Proposed Effective Date	Fiscal Note		Effective Date	Other Information
			State	Local		

**MARRIAGE AND FAMILY THERAPY LICENSURE BOARD**

21 NCAC 31 .0102	10:16 NCR 2062	03/01/96
.0104	10:16 NCR 2062	03/01/96
.0201 - .0203	10:16 NCR 2062	03/01/96
.0301 - .0304	10:16 NCR 2062	03/01/96
.0401 - .0404	10:16 NCR 2062	03/01/96
.0501 - .0506	10:16 NCR 2062	03/01/96
.0601 - .0609	10:16 NCR 2062	03/01/96
.0701	10:16 NCR 2062	03/01/96
.0801	10:16 NCR 2062	03/01/96
.0901	10:16 NCR 2062	03/01/96

**MEDICAL EXAMINERS**

21 NCAC 32B .0901 - .0902	10:10 NCR 831	11/01/95	12/01/95
32F .0003	10:10 NCR 831	11/01/95	12/01/95
32H	10:18 NCR 2400		
.0102	10:02 NCR 151	07/01/96	07/01/96
.0201	10:02 NCR 151	07/01/96	07/01/96
.0203	10:02 NCR 151	07/01/96	
.0408	10:02 NCR 151	07/01/96	07/01/96
.0506	10:02 NCR 151	07/01/96	07/01/96
.0601	10:02 NCR 151	07/01/95	09/01/95
.0602	10:02 NCR 151	07/01/96	07/01/96
.0801	10:02 NCR 151	07/01/96	07/01/96
.1001	10:02 NCR 151	07/01/96	07/01/96
32I .0003 - .0004	10:02 NCR 151	07/01/95	09/01/95
32M .0001	10:10 NCR 831	11/01/95	01/01/96
.0002 - .0004	10:10 NCR 831	11/01/95	01/01/96
.0005 - .0006	10:10 NCR 831	11/01/95	01/01/96
.0007 - .0012	10:10 NCR 831	11/01/95	01/01/96

Rule-Making Proceeding

**MORTUARY SCIENCE**

21 NCAC 34B .0401	10:13 NCR 1182	01/01/96	
34D .0202	10:13 NCR 1182	01/01/96	01/01/96
.0301	10:13 NCR 1182	01/01/96	01/01/96

**NURSING, BOARD OF**

21 NCAC 36 .0109	10:11 NCR 908	01/01/96	01/01/96
.0202 - .0203	10:11 NCR 908	01/01/96	01/01/96
.0209	10:11 NCR 908	01/01/96	01/01/96
.0211	10:11 NCR 908	01/01/96	01/01/96
.0216 - .0219	10:11 NCR 908	01/01/96	01/01/96
.0221	10:11 NCR 908	01/01/96	01/01/96
.0225	10:11 NCR 908	01/01/96	01/01/96
.0227	10:11 NCR 908	01/01/96	01/01/96
.0228	10:16 NCR 2068	02/01/96	
.0318	10:11 NCR 908	01/01/96	01/01/96
.0320	10:11 NCR 908	01/01/96	01/01/96
.0322	10:11 NCR 908	01/01/96	01/01/96
.0401 - .0405	10:10 NCR 839	12/01/95	12/01/95

**NURSING HOME ADMINISTRATORS**

21 NCAC 37 .0101	10:04 NCR 262	08/01/95	08/01/95
.0302	10:03 NCR 206	08/01/95	N/A
.0404	10:03 NCR 206	08/01/95	N/A
.0502	10:03 NCR 206	08/01/95	08/01/95
.0603	10:03 NCR 206	08/01/95	08/01/95
.0904	10:04 NCR 262	08/01/95	N/A
.0912	10:03 NCR 206	08/01/95	08/01/95
.0914	10:03 NCR 206	08/01/95	N/A
37A .0101	10:16 NCR 2069	04/01/96	
.0108	10:16 NCR 2069	04/01/96	
.0110	10:16 NCR 2069	04/01/96	

**CUMULATIVE INDEX**

Agency/Rule Citation	Proposed in Register	Proposed Effective Date	Fiscal Note		Effective Date	Other Information
			State	Local		
.0208	10:16 NCR 2069	04/01/96				
.0211	10:16 NCR 2069	04/01/96				
.0306	10:16 NCR 2069	04/01/96				
.0308	10:16 NCR 2069	04/01/96				
.0506	10:16 NCR 2069	04/01/96				
.0603 - .0604	10:16 NCR 2069	04/01/96				
.0702 - .0707	10:16 NCR 2069	04/01/96				
.0805	10:16 NCR 2069	04/01/96				
.0901	10:16 NCR 2069	04/01/96				
.0905	10:16 NCR 2069	04/01/96				
.0907	10:16 NCR 2069	04/01/96				
.1203	10:16 NCR 2069	04/01/96				
37B .0101 - .0103	10:16 NCR 2069	04/01/96				
.0201	10:16 NCR 2069	04/01/96				
.0203	10:16 NCR 2069	04/01/96				
.0205	10:16 NCR 2069	04/01/96				
37C .0101 - .0103	10:16 NCR 2069	04/01/96				
37D .0101 - .0102	10:16 NCR 2069	04/01/96				
.0201 - .0203	10:16 NCR 2069	04/01/96				
.0301 - .0303	10:16 NCR 2069	04/01/96				
.0402 - .0406	10:16 NCR 2069	04/01/96				
.0408 - .0412	10:16 NCR 2069	04/01/96				
.0501 - .0503	10:16 NCR 2069	04/01/96				
.0601 - .0603	10:16 NCR 2069	04/01/96				
.0605	10:16 NCR 2069	04/01/96				
.0701 - .0703	10:16 NCR 2069	04/01/96				
37E .0101 - .0102	10:16 NCR 2069	04/01/96				
37F .0101 - .0102	10:16 NCR 2069	04/01/96				
37G .0101 - .0102	10:16 NCR 2069	04/01/96				
.0201 - .0202	10:16 NCR 2069	04/01/96				
.0301	10:16 NCR 2069	04/01/96				
.0401	10:16 NCR 2069	04/01/96				
37H .0101 - .0104	10:16 NCR 2069	04/01/96				
37I .0101	10:16 NCR 2069	04/01/96				
<b>OPTICIANS</b>						
21 NCAC 40 .0314	10:16 NCR 2081	02/01/96				
<b>PASTORAL COUNSELORS, FEE-BASED PRACTICING</b>						
21 NCAC 45 .0101	10:16 NCR 2082	03/01/96				
.0201 - .0203	10:16 NCR 2082	03/01/96				
.0301 - .0303	10:16 NCR 2082	03/01/96				
.0401 - .0402	10:16 NCR 2082	03/01/96				
.0501	10:16 NCR 2082	03/01/96				
.0601	10:16 NCR 2082	03/01/96				
.0701	10:16 NCR 2082	03/01/96				
.0801 - .0802	10:16 NCR 2082	03/01/96				
.0901	10:16 NCR 2082	03/01/96				
.1001	10:16 NCR 2082	03/01/96				
<b>PHARMACY, BOARD OF</b>						
21 NCAC 46 .1204	10:16 NCR 2085	05/01/96				
.1317	10:16 NCR 2085	05/01/96				
.1401 - .1404	10:16 NCR 2085	05/01/96				
.1406	10:16 NCR 2085	05/01/96				
.1408	10:16 NCR 2085	05/01/96				
.1410 - .1417	10:16 NCR 2085	05/01/96				
.1505	10:16 NCR 2085	05/01/96				
.1601 - .1604	10:16 NCR 2085	05/01/96				
.1607	10:16 NCR 2085	05/01/96				
.1701 - .1705	10:16 NCR 2085	05/01/96				
.1810 - .1811	10:16 NCR 2085	05/01/96				
.1910	10:16 NCR 2085	05/01/96				

**CUMULATIVE INDEX**

Agency/Rule Citation	Proposed in Register	Proposed Effective Date	Fiscal Note		Effective Date	Other Information
			State	Local		
.2104	10:16 NCR 2085	05/01/96				
.2403	10:16 NCR 2085	05/01/96				
.2502	10:16 NCR 2085	05/01/96				
.2504	10:16 NCR 2085	05/01/96				
.2506	10:16 NCR 2085	05/01/96				
.2602	10:16 NCR 2085	05/01/96				
.2609	10:16 NCR 2085	05/01/96				
.2611	10:16 NCR 2085	05/01/96				
<b>PHYSICAL THERAPY EXAMINERS</b>						
21 NCAC 48A .0001	10:16 NCR 2107	02/01/96				
.0004	10:16 NCR 2107	02/01/96				
48B .0002	10:16 NCR 2107	02/01/96				
48C .0103	10:08 NCR 671	10/01/95			N/A	Agency withdrew Rule
48D .0006	10:08 NCR 671	10/01/95			10/01/95	
.0008	10:08 NCR 671	10/01/95			10/01/95	
.0009 - .0011	10:16 NCR 2107	02/01/96				
.0011	10:08 NCR 671	10/01/95			10/01/95	
48E .0101	10:16 NCR 2107	02/01/96				
.0104	10:16 NCR 2107	02/01/96				
.0110	10:08 NCR 671	10/01/95			10/01/95	
.0110	10:16 NCR 2107	02/01/96				
48F .0002	10:08 NCR 671	10/01/95			10/01/95	
.0003	10:16 NCR 2107	02/01/96				
48G .0501 - .0516	10:08 NCR 671	10/01/95			10/01/95	
.0504	10:16 NCR 2107	02/01/96				
.0509	10:16 NCR 2107	02/01/96				
.0601	10:08 NCR 671	10/01/95			10/01/95	
.0601	10:16 NCR 2107	02/01/96				
48H .0102	10:16 NCR 2107	02/01/96				
.0104	10:08 NCR 671	10/01/95			10/01/95	
.0701 - .0704	10:08 NCR 671	10/01/95			10/01/95	
.0701	10:16 NCR 2107	02/01/96				
<b>PLUMBING, HEATING &amp; FIRE SPRINKLER CONTRACTORS</b>						
21 NCAC 50 .0402	10:01 NCR 39	09/01/95			09/01/95	
.0505	10:01 NCR 39	09/01/95			N/A	Agency Did Not Adopt
<b>PROFESSIONAL COUNSELORS</b>						
21 NCAC 53 .0204 - .0211	10:01 NCR 40	07/01/95			07/01/95	
.0301	10:01 NCR 40	07/01/95			07/01/95	
.0305 - .0309	10:01 NCR 40	07/01/95			07/01/95	
.0310	10:01 NCR 40	07/01/95				
.0403 - .0405	10:01 NCR 40	07/01/95			07/01/95	
.0601 - .0604	10:01 NCR 40	07/01/95			07/01/95	
<b>PROFESSIONAL ENGINEERS AND LAND SURVEYORS</b>						
21 NCAC 56 .0802	10:11 NCR 934	12/01/95				
.0804	10:11 NCR 934	12/01/95				
.0902	10:11 NCR 934	12/01/95				
.1103	10:11 NCR 934	12/01/95				
.1301	10:11 NCR 934	12/01/95				
.1602	10:11 NCR 934	12/01/95				
.1604	10:11 NCR 934	12/01/95				
.1608	10:11 NCR 934	12/01/95				
.1707	10:11 NCR 934	12/01/95				
.1712 - .1713	10:11 NCR 934	12/01/95				
<b>PSYCHOLOGY BOARD</b>						
21 NCAC 54 .1604 - .1605	10:16 NCR 2111	03/01/96				
.1608	10:16 NCR 2111	03/01/96				
.1610	10:16 NCR 2111	03/01/96				
.1701	10:11 NCR 929	12/01/95			01/01/96	

**CUMULATIVE INDEX**

Agency/Rule Citation	Proposed in Register	Proposed Effective Date	Fiscal Note		Effective Date	Other Information
			State	Local		

.1703 - .1705	10:16 NCR 2111	03/01/96				
.1707	10:11 NCR 929	12/01/95			01/01/96	
.1801 - .1803	10:16 NCR 2111	03/01/96				
.1901	10:16 NCR 2111	03/01/96				
.1904	10:16 NCR 2111	03/01/96				
.2001 - .2005	10:16 NCR 2111	03/01/96				
.2007 - .2009	10:16 NCR 2111	03/01/96				
.2101	10:16 NCR 2111	03/01/96				
.2103	10:16 NCR 2111	03/01/96				
.2201 - .2204	10:16 NCR 2111	03/01/96				
.2704 - .2706	10:11 NCR 929	12/01/95			01/01/96	

**PUBLIC EDUCATION**

16 NCAC 06A .0001 - .0002	10:16 NCR 1997	04/01/96				
06B .0001 - .0002	10:16 NCR 1997	04/01/96				
.0004 - .0006	10:16 NCR 1997	04/01/96				
06C .0101	10:15 NCR 1565	04/01/96				
.0313	10:15 NCR 1565	04/01/96				
.0401	10:17 NCR 2229				11/15/95	Temporary Amendment Rule
06D .0102	10:16 NCR 1997	04/01/96				
.0104	10:16 NCR 1997	04/01/96				
.0106	10:07 NCR 584	11/01/95				
.0301 - .0302	10:16 NCR 1997	04/01/96				
06E .0101 - .0102	10:16 NCR 1997	04/01/96				
.0104	10:16 NCR 1997	04/01/96				
.0202	10:16 NCR 1997	04/01/96				
06G .0301 - .0303	10:16 NCR 1997	04/01/96				
06H .0001	10:16 NCR 1997	04/01/96				
.0006 - .0008	10:16 NCR 1997	04/01/96				

**REAL ESTATE COMMISSION**

21 NCAC 58A .0104	10:16 NCR 2124	03/01/96				
.0107	10:16 NCR 2124	03/01/96				
.0110	10:02 NCR 157	07/01/95			07/01/95	
.0113	10:16 NCR 2124	03/01/96				
.0302	10:16 NCR 2124	03/01/96				
.0401 - .0402	10:16 NCR 2124	03/01/96				
.0403	10:04 NCR 263	08/01/95			08/01/95	
.0502	10:16 NCR 2124	01/01/97				
.0503	10:04 NCR 263	08/01/95			08/01/95	
.0503 - .0506	10:16 NCR 2124	03/01/96				
.0504 - .0506	10:02 NCR 157	07/01/95			07/01/95	
.0505	10:04 NCR 263	08/01/95			08/01/95	
.0510	10:16 NCR 2124	03/01/96				
.0610	10:16 NCR 2124	03/01/96				
.1702	10:16 NCR 2124	03/01/96				
.1703	10:02 NCR 157	07/01/95			07/01/95	
.1707 - .1708	10:02 NCR 157	07/01/95			07/01/95	
.1708	10:16 NCR 2124	03/01/96				
.1710 - .1711	10:02 NCR 157	07/01/95			07/01/95	
.1711	10:16 NCR 2124	03/01/96				
58C .0104	10:16 NCR 2124	03/01/96				
.0305 - .0307	10:16 NCR 2124	03/01/96				
.0311 - .0312	10:16 NCR 2124	03/01/96				
58E .0103	10:02 NCR 157	07/01/95			07/01/95	
.0203 - .0204	10:02 NCR 157	07/01/95			07/01/95	
.0203 - .0204	10:16 NCR 2124	03/01/96				
.0302 - .0304	10:16 NCR 2124	03/01/96				
.0303 - .0305	10:02 NCR 157	07/01/95			07/01/95	
.0310	10:16 NCR 2124	03/01/96				
.0406 - .0407	10:02 NCR 157	07/01/95			07/01/95	
.0406 - .0407	10:16 NCR 2124	03/01/96				
.0411	10:16 NCR 2124	03/01/96				

**CUMULATIVE INDEX**

Agency/Rule Citation	Proposed in Register	Proposed Effective Date	Fiscal Note		Effective Date	Other Information
			State	Local		
.0503	10:16 NCR 2124	03/01/96				
.0506	10:02 NCR 157	07/01/95			07/01/95	
.0511	10:16 NCR 2124	03/01/96				
.0515	10:02 NCR 157	07/01/95			07/01/95	
<b>REFRIGERATION EXAMINERS</b>						
21 NCAC 60 .0102	10:04 NCR 264	08/01/95			08/01/95	
.0105	10:09 NCR 781	11/01/95			11/01/95	
.0204	10:04 NCR 264	08/01/95			08/01/95	
.0314	10:04 NCR 264	08/01/95			08/01/95	
.1102	10:04 NCR 264	08/01/95			08/01/95	
.1103	10:09 NCR 781	11/01/95			11/01/95	
<b>REVENUE</b>						
Tax Review Board	10:01 NCR 03					
Tax Review Board	10:07 NCR 428					
Tax Review Board	10:09 NCR 716					
Tax Review Board	10:11 NCR 890					
Tax Review Board	10:17 NCR 2224					
17 NCAC 01C .0504	10:20 NCR 2599				12/20/95	Temporary Amend Eff. 12/20/95
.0506	10:20 NCR 2599				12/20/95	Temporary Amend Eff. 12/20/95
09G .0102	10:16 NCR 2006	11/30/96				
.0104 - .0105	10:16 NCR 2006	11/30/96				
.0107	10:16 NCR 2006	11/30/96				
.0201 - .0203	10:16 NCR 2006	11/30/96				
.0301 - .0304	10:16 NCR 2006	11/30/96				
.0306	10:16 NCR 2006	11/30/96				
.0402 - .0404	10:16 NCR 2006	11/30/96				
.0502 - .0509	10:16 NCR 2006	11/30/96				
.0512	10:16 NCR 2006	11/30/96				
.0514	10:16 NCR 2006	11/30/96				
.0516	10:16 NCR 2006	11/30/96				
09H .0102 - .0103	10:16 NCR 2006	11/30/96				
.0105	10:16 NCR 2006	11/30/96				
.0202 - .0203	10:16 NCR 2006	11/30/96				
.0206 - .0210	10:16 NCR 2006	11/30/96				
.0302 - .0303	10:16 NCR 2006	11/30/96				
.0305 - .0306	10:16 NCR 2006	11/30/96				
.0409	10:16 NCR 2006	11/30/96				
09K .0201 - .0206	10:16 NCR 2006	01/01/96				
.0401	10:16 NCR 2006	01/01/96				
.0501 - .0513	10:16 NCR 2006	01/01/96				
.0601 - .0602	10:16 NCR 2006	01/01/96				
09L .0301 - .0302	10:16 NCR 2006	01/01/96				
.0401 - .0404	10:16 NCR 2006	01/01/96				
<b>SECRETARY OF STATE</b>						
18 NCAC 04 .0102	10:15 NCR 1567	02/01/96				
.0201	10:15 NCR 1567	02/01/96				
.0203	10:15 NCR 1567	02/01/96				
.0205 - .0206	10:15 NCR 1567	02/01/96				
.0302 - .0308	10:15 NCR 1567	02/01/96				
.0311 - .0314	10:15 NCR 1567	02/01/96				
.0316 - .0318	10:15 NCR 1567	02/01/96				
.0401 - .0402	10:15 NCR 1567	02/01/96				
.0501 - .0504	10:15 NCR 1567	02/01/96				
05 .0101	10:15 NCR 1573	02/01/96				
.0203 - .0209	10:15 NCR 1573	02/01/96				
.0304 - .0305	10:15 NCR 1573	02/01/96				
.0404	10:15 NCR 1573	02/01/96				
06 .1205 - .1206	10:05 NCR 306	09/01/95				
.1208	10:05 NCR 306	09/01/95				
.1302 - .1305	10:05 NCR 306	09/01/95				

**CUMULATIVE INDEX**

Agency/Rule Citation	Proposed in Register	Proposed Effective Date	Fiscal Note		Effective Date	Other Information
			State	Local		
.1313	10:05 NCR 306	09/01/95				
.1402	10:11 NCR 906	12/01/95				
.1601 - .1602	10:15 NCR 1575	02/01/96				
.1604 - .1605	10:15 NCR 1575	02/01/96				
.1607	10:15 NCR 1575	02/01/96				
07 .0302	10:15 NCR 1578	02/01/96				
09	10:16 NCR 2015	04/01/96				Notice on Subject Matter
.0101 - .0108	10:19 NCR 2480	04/01/96				Temporary Adoption Eff. 1/1/96
<b>SOCIAL WORK, BOARD OF</b>						
21 NCAC 63 .0306	10:13 NCR 1185	01/01/96				
<b>SOIL SCIENTISTS, BOARD FOR LICENSING</b>						
21 NCAC 69	10:19 NCR 2507					Rule-Making Proceeding
<b>STATE PERSONNEL</b>						
25 NCAC 01B .0201	10:16 NCR 2155	02/01/96				
.0203 - .0207	10:16 NCR 2155	02/01/96				
.0213	10:16 NCR 2155	02/01/96				
.0414	10:16 NCR 2155	02/01/96				
.0431	10:16 NCR 2155	02/01/96				
.0437 - .0439	10:16 NCR 2155	02/01/96				
01C .0207	10:04 NCR 264	08/01/95				
.0402 - .0408	10:04 NCR 264	08/01/95				
.0412	10:16 NCR 2155	02/01/96				
01D .0201	10:04 NCR 264	08/01/95				
.0205	10:04 NCR 264	08/01/95				
.0207	10:04 NCR 264	08/01/95				
.0211	10:04 NCR 264	08/01/95				
.0401	10:12 NCR 986	12/01/95				12/01/95
.0406	10:12 NCR 986	12/01/95				12/01/95
.0504	10:12 NCR 986	12/01/95				12/01/95
.0509	10:07 NCR 588	10/01/95				10/01/95
.0510 - .0511	10:12 NCR 986	12/01/95				12/01/95
.0515	10:12 NCR 986	12/01/95				12/01/95
.0520	10:16 NCR 2155	02/01/96				
.0808	10:04 NCR 264	08/01/95				
.0910	10:12 NCR 986	12/01/95				12/01/95
.1001	10:04 NCR 264	08/01/95				
.1001	10:12 NCR 986	12/01/95				12/01/95
.1005	10:12 NCR 986	12/01/95				12/01/95
.1009	10:04 NCR 264	08/01/95				
.1009 - .1010	10:12 NCR 986	12/01/95				12/01/95
.1201	10:04 NCR 264	08/01/95				
.1204	10:04 NCR 264	08/01/95				
.1401	10:04 NCR 264	08/01/95				
.1801 - .1802	10:04 NCR 264	08/01/95				
.1928	10:12 NCR 986	12/01/95				12/01/95
.2001	10:04 NCR 264	08/01/95				08/08/95
.2301 - .2305	10:16 NCR 2155	02/01/96				
.2601 - .2604	10:12 NCR 986	12/01/95				12/01/95
01E .0304 - .0305	10:12 NCR 986	12/01/95				12/01/95
.0804	10:04 NCR 264	08/01/95				
.1001 - .1002	10:12 NCR 986	12/01/95				12/01/95
.1110	10:12 NCR 986	12/01/95				12/01/95
.1402 - .1411	10:07 NCR 588	10/01/95				10/01/95
01H .0628	10:12 NCR 986	12/01/95				12/01/95
01I .2301 - .2310	10:12 NCR 986	12/01/95				12/01/95
01J .0401 - .0413	10:12 NCR 986	12/01/95				12/01/95
.0501 - .0511	10:12 NCR 986	12/01/95				12/01/95
.0604 - .0606	10:07 NCR 588	10/01/95				10/01/95
.0608	10:07 NCR 588	10/01/95				10/01/95
.0610 - .0615	10:07 NCR 588	10/01/95				10/01/95

**CUMULATIVE INDEX**

Agency/Rule Citation	Proposed in Register	Proposed Effective Date	Fiscal Note		Effective Date	Other Information
			State	Local		

	.0801 - .0809	10:12 NCR 986	12/01/95		12/01/95	
01K	.0312	10:04 NCR 264	08/01/95			
	.0318	10:12 NCR 986	12/01/95		12/01/95	
	.0701 - .0705	10:12 NCR 986	12/01/95		12/01/95	
	.0707 - .0708	10:12 NCR 986	12/01/95		12/01/95	
01L	.0101 - .0106	10:12 NCR 986	12/01/95		12/02/95	

**SUBSTANCE ABUSE PROFESSIONALS CERTIFICATION BOARD**

21 NCAC 68		10:18 NCR 2401				Rule-Making Proceeding
	.0501 - .0511	10:14 NCR 1382	02/01/96			
	.0601 - .0610	10:14 NCR 1382	02/01/96			

**THERAPEUTIC RECREATION CERTIFICATION BOARD**

21 NCAC 65	.0004	10:16 NCR 2140	02/01/96			
	.0006 - .0007	10:16 NCR 2140	02/01/96			

**TRANSPORTATION**

19A NCAC 02D	.0415	10:12 NCR 984	12/31/95		01/01/96	
	.0801	10:04 NCR 254	09/01/95		10/01/95	
	.1101 - .1112	10:16 NCR 2015	03/01/96			
03D	.0517	10:16 NCR 2020	02/01/96			
	.0549	10:16 NCR 2020	02/01/96			
	.0551 - .0553	10:16 NCR 2020	02/01/96			
04A	.0004	10:10 NCR 829	12/01/95		12/01/95	
06B	.0401 - .0417	10:16 NCR 2023	03/01/96	x		

**VETERINARY MEDICAL BOARD**

21 NCAC 66	.0101	10:16 NCR 2143	04/01/96			
	.0105 - .0106	10:16 NCR 2143	04/01/96			
	.0108	10:16 NCR 2143	04/01/96			
	.0201 - .0203	10:16 NCR 2143	04/01/96			
	.0205 - .0210	10:16 NCR 2143	04/01/96			
	.0301	10:16 NCR 2143	04/01/96			
	.0303 - .0308	10:16 NCR 2143	04/01/96			
	.0310 - .0311	10:16 NCR 2143	04/01/96			
	.0601	10:16 NCR 2143	04/01/96			
	.0606	10:16 NCR 2143	04/01/96			
	.0703	10:16 NCR 2143	04/01/96			

# BARCLAYS OFFICIAL NORTH CAROLINA ADMINISTRATIVE CODE - 1995

DESCRIPTION	CODE	ONE-TIME PURCHASE PRICE	ANNUAL SUBSCRIPTION PRICE
<b>Title 1 - Dept. of Administration - Full Title</b>	<b>201 00 00</b>	<b>\$63.00</b>	<b>\$90.00</b>
Division of Purchase & Contract	201 10 05	\$21.00	\$30.00
Federal Block Grant Funds	201 10 33	\$17.50	\$25.00
<b>Title 2 - Dept. of Agriculture - Full Title</b>	<b>202 00 00</b>	<b>\$98.00</b>	<b>\$140.00</b>
Food & Drug Protection Division	202 15 09	\$28.00	\$40.00
Structural Pest Control Committee	202 15 34	\$21.00	\$30.00
Agricultural Markets	202 15 43	\$21.00	\$30.00
Plant Industry	202 15 48	\$21.00	\$30.00
Animal Industry	202 15 52	\$21.00	\$30.00
<b>Title 3 - Dept. of State Auditor - Full Title</b>	<b>203 00 00</b>	<b>\$7.00</b>	<b>\$10.00</b>
<b>Title 4 - Dept. of Commerce - Full Title</b>	<b>204 00 00</b>	<b>\$87.50</b>	<b>\$125.00</b>
Alcoholic Beverage Control Commission	204 15 02	\$12.00	\$40.00
Banking Commission	204 15 03	\$24.50	\$35.00
Credit Union Division	204 15 06	\$14.00	\$20.00
Savings & Loan Division	204 15 09	\$14.00	\$20.00
Industrial Commission/Workers Compensation	204 15 10	\$14.00	\$20.00
Savings Institutions Division	204 15 16	\$24.50	\$35.00
<b>Title 5 - Dept. of Corrections - Full Title</b>	<b>205 00 00</b>	<b>\$56.00</b>	<b>\$80.00</b>
Division of Prisons	205 15 02	\$24.50	\$35.00
<b>Title 6 - Council of State - Full Title</b>	<b>206 00 00</b>	<b>\$21.00</b>	<b>\$30.00</b>
<b>Title 7 - Dept. of Cultural Resources - Full Title</b>	<b>207 00 00</b>	<b>\$21.00</b>	<b>\$30.00</b>
<b>Title 8 - State Board of Elections - Full Title</b>	<b>208 00 00</b>	<b>\$7.00</b>	<b>\$10.00</b>
<b>Title 9 - Offices of the Governor &amp; Lt. Governor - Full Title</b>	<b>209 00 00</b>	<b>\$31.50</b>	<b>\$45.00</b>
<b>Title 10 - Dept. of Human Resources - Full Title</b>	<b>210 00 00</b>	<b>\$346.50</b>	<b>\$495.00</b>
Licensing of Health Facilities	210 20 10	\$45.50	\$65.00
Detention Facilities	210 20 20	\$31.50	\$45.00
Mental Health & Rehabilitation Services	210 20 30	\$77.00	\$110.00
Social Services	210 20 40	\$119.00	\$170.00
Children Services/Day Care	210 20 41	\$31.50	\$45.00
Services for the Aging	210 20 42	\$31.50	\$45.00
Services for the Blind	210 20 43	\$28.00	\$40.00
Services for the Deaf & Hard of Hearing	210 20 44	\$17.50	\$25.00
Employment Opportunities	210 20 45	\$35.00	\$50.00
<b>Title 11 - Dept. of Insurance - Full Title</b>	<b>211 00 00</b>	<b>\$63.00</b>	<b>\$90.00</b>
Insurance	211 10 01	\$56.00	\$80.00
Consumer Services	211 10 04	\$24.50	\$35.00
Fire & Rescue Services	211 10 05	\$17.50	\$25.00
Agent Services	211 10 06	\$28.00	\$40.00
Engineering & Building Codes	211 10 08	\$21.00	\$30.00
<b>Title 12 - Dept. of Justice - Full Title</b>	<b>212 00 00</b>	<b>\$63.00</b>	<b>\$90.00</b>
Private Protective Services	212 10 07	\$21.00	\$30.00
Police & Sheriff's Education & Training Standards	212 10 09	\$31.50	\$45.00
NC Alarm Systems Licensing Board	212 10 11	\$17.50	\$25.00
<b>Title 13 - Dept. of Labor - Full Title</b>	<b>213 00 00</b>	<b>\$77.00</b>	<b>\$110.00</b>
Mine & Quarry Safety	213 15 06	\$14.00	\$20.00
General Safety/OSHA	213 20 00	\$31.50	\$45.00
Wage & Hour Rules	213 15 12	\$14.00	\$20.00
Boiler & Pressure Vessel Safety	213 15 13	\$14.00	\$20.00
Apprenticeship & Training	213 15 14	\$14.00	\$20.00
Elevator & Amusement Device Safety	213 15 15	\$14.00	\$20.00
<b>Title 14A - Dept. of Crime Control &amp; Public Safety - Full Title</b>	<b>214 00 00</b>	<b>\$31.50</b>	<b>\$45.00</b>
Alcohol Law Enforcement	214 00 08	\$17.50	\$25.00
Victims Compensation Fund	214 00 11	\$14.00	\$20.00
<b>Title 15A - Dept. of Environ., Health, &amp; Nat. Resources - Full Title</b>	<b>215 00 00</b>	<b>\$276.50</b>	<b>\$395.00</b>
Environmental Management	215 15 00	\$115.50	\$165.00
Air Quality	215 15 10	\$49.00	\$70.00
Water Quality	215 15 20	\$49.00	\$70.00
Land & Waste Management	215 15 30	\$56.00	\$80.00
Solid Waste Management	215 15 31	\$35.00	\$50.00
Underground Storage Tanks	215 15 32	\$17.50	\$25.00

DESCRIPTION	CODE	ONE-TIME PURCHASE PRICE	ANNUAL SUBSCRIPTION PRICE
Coastal Management	215 15 40	\$31.50	\$45.00
Environmental Health	215 25 00	\$105.00	\$150.00
Radiation/Nuclear Waste	215 25 10	\$42.00	\$60.00
Sanitation	215 25 20	\$35.00	\$50.00
Public Health	215 25 30	\$59.50	\$85.00
Intoxilizer & Breathalyser	215 25 31	\$17.50	\$25.00
<b>Title 16 - Dept. of Public Instruction - Full Title</b>	<b>216 00 00</b>	<b>\$21.00</b>	<b>\$30.00</b>
Elementary & Secondary Education	216 10 06	\$21.00	\$30.00
<b>Title 17 - Dept. of Revenue - Full Title</b>	<b>217 00 00</b>	<b>\$91.00</b>	<b>\$130.00</b>
Taxes on Individuals	217 15 10	\$31.50	\$45.00
Taxes on Business	217 15 20	\$66.00	\$80.00
Sales & Use Tax Division	217 15 27	\$31.50	\$45.00
Motor Fuels Tax Division	217 15 29	\$21.00	\$30.00
<b>Title 18 - Secretary of State - Full Title</b>	<b>218 00 00</b>	<b>\$21.00</b>	<b>\$30.00</b>
Securities Division	218 10 06	\$21.00	\$30.00
<b>Title 19A - Dept. of Transportation - Full Title</b>	<b>219 00 00</b>	<b>\$63.00</b>	<b>\$90.00</b>
Division of Highways	219 10 02	\$28.00	\$40.00
Division of Motor Vehicles	219 10 03	\$35.00	\$50.00
<b>Title 20 - Dept. of the State Treasurer - Full Title</b>	<b>220 00 00</b>	<b>\$31.50</b>	<b>\$45.00</b>
<b>Title 21 - Occupational Licensing Boards - Full Title</b>	<b>221 00 00</b>	<b>\$143.50</b>	<b>\$205.00</b>
<b>Title 22 - Administrative Procedures Act - Repealed</b>	<b>222 00 00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>Title 23 - Dept. of Community Colleges - Full Title</b>	<b>223 00 00</b>	<b>\$7.00</b>	<b>\$10.00</b>
<b>Title 24 - Independent Agencies - Full Title</b>	<b>224 00 00</b>	<b>\$7.00</b>	<b>\$10.00</b>
<b>Title 25 - Office of State Personnel - Full Title</b>	<b>225 00 00</b>	<b>\$42.00</b>	<b>\$60.00</b>
<b>Title 26 - Office of Administrative Hearings - Full Title</b>	<b>226 00 00</b>	<b>\$7.00</b>	<b>\$10.00</b>
<b>Title 27 - North Carolina State Bar - Full Title</b>	<b>227 00 00</b>	<b>\$42.00</b>	<b>\$60.00</b>
<b>North Carolina Administrative Code - Full Code</b> (Add \$85.00 Shipping and Handling)	<b>299 99 98</b>	<b>\$375.00</b>	<b>\$750.00</b>
<b>CD-ROM North Carolina Administrative Code</b>	<b>266 00 00</b>	--	\$750.00
<b>CD-ROM North Carolina Administrative Code</b> (When purchased with the Full Code in Print)	<b>266 50 00</b>	--	\$250.00
<b>Master Index</b>	<b>288 50 00</b>	<b>\$295.00</b>	<b>\$475.00</b>
<b>Master Table of Contents</b>	<b>288 80 00</b>	<b>\$40.00</b>	<b>\$75.00</b>
<b>Binder(s)</b>	<b>299 90 00</b>	<b>\$16.00</b>	--

METHOD OF PAYMENT:  Check Enclosed  
 VISA     MasterCard     American Express

CARD HOLDER \_\_\_\_\_ EXP. DATE \_\_\_\_\_

NAME (As it appears on card) \_\_\_\_\_

SIGNATURE \_\_\_\_\_

#### CUSTOMER INFORMATION

FIRM OR COMPANY NAME \_\_\_\_\_

CONTACT NAME \_\_\_\_\_ TELEPHONE NUMBER \_\_\_\_\_

STREET ADDRESS (Required for all shipments) \_\_\_\_\_ DEPT. OR MAIL STOP \_\_\_\_\_

PO BOX (if any) \_\_\_\_\_

CITY/STATE/ZIP \_\_\_\_\_ SUBSCRIBER ACCOUNT NUMBER \_\_\_\_\_

CODE NUMBER	ONE-TIME PURCHASE PRICE	ANNUAL SUBSCRIPTION PRICE	QTY	TOTAL
<b>Binder(s):</b>	<b>Titled "Official North Carolina Administrative Code"</b>	<b>\$16.00 each</b>		
<b>Subtotal</b>				
<b>North Carolina State Sales Tax (6%)</b>				
<b>Shipping and Handling</b>				
<b>GRAND TOTAL</b>				

Mail to: Barclays Law Publishers

PO Box 3066

South San Francisco, CA 94083-3066

For faster service call (800) 888-3800 or fax us at (415) 244-0408

Raleigh, North Carolina 27611-7447  
P.O. Drawer 27447  
Office of Administrative Hearings

HERE  
STAMP  
PLACE

CITY \_\_\_\_\_  
STATE \_\_\_\_\_  
ZIP \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
NAME \_\_\_\_\_

FOLD HERE

---

## NORTH CAROLINA REGISTER ORDER FORM

- Please enter my subscription for the *North Carolina Register* to start with the \_\_\_\_\_ issue.  
(\$195.00/year subscription. N.C. subscribers please add sales tax.)
- Renew *North Carolina Register*
- Check Enclosed       Please bill me

Please make checks payable to Office of Administrative Hearings

NAME \_\_\_\_\_ ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

PHONE \_\_\_\_\_

(Return to Office of Administrative Hearings - fold at line, staple at bottom and affix postage.)

## CHANGE OF ADDRESS

### 1. Present Address

NAME

ADDRESS

CITY

STATE

ZIP

### 2. New Address

NAME

ADDRESS

CITY

STATE

ZIP

---

**Office of Administrative Hearings**

P.O. Drawer 27447

Raleigh, North Carolina 27611-7447

**FIRST CLASS MAIL**